

MAINE STATE LEGISLATURE

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Journal and Legislative Record
House of Representatives
One Hundred and Twenty-Ninth Legislature
State of Maine

Daily Edition

First Regular Session
beginning December 5, 2018

pages 1 -

ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
36th Legislative Day
Tuesday, May 7, 2019

The House met according to adjournment and was called to order by the Speaker.

Prayer by Pastor Frank Gleason, Center Point Community Church, Anson.

National Anthem by Oxford Hills Comprehensive High School Chamber Choir, South Paris.

Pledge of Allegiance.

The Journal of Thursday, May 2, 2019 was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 547)

**JOINT RESOLUTION EXPRESSING SUPPORT FOR THE
END OF FORCED ORGAN HARVESTING IN THE PEOPLE'S
REPUBLIC OF CHINA**

WHEREAS, there continue to be persistent and credible reports of systematic, state-sanctioned organ harvesting from nonconsenting prisoners of conscience and members of religious and ethnic minority groups in the People's Republic of China, resulting in mass killings of Uyghurs, Tibetans, select Christians and practitioners of Falun Gong, a spiritual practice, in order to obtain organs for transplants; and

WHEREAS, China's organ transplantation system does not comply with the World Health Organization's guiding principles of traceability and transparency in organ procurement, and China's government has resisted independent scrutiny of the system; and

WHEREAS, new investigative reports conclude that the Chinese Communist Party has engaged in the mass killings of innocent people to obtain organs for transplants, and China's official figure of 10,000 transplants each year has been understated by an order of magnitude; and

WHEREAS, the United Nations Committee Against Torture and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment have called for increased accountability and transparency in China's organ transplantation system and punishment for those responsible for abuse; and

WHEREAS, the practice of harvesting organs from prisoners, and explicitly from Falun Gong prisoners of conscience and members of religious and ethnic minority groups, is an egregious and intolerable violation of the fundamental right to live; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, declare our support for the end of forced organ harvesting in the People's Republic of China on Falun Gong adherents and other prisoners of conscience and members of religious and ethnic minority groups; and be it further

RESOLVED: That the medical community in the State of Maine is encouraged to educate our citizens about the risks of traveling to China for organ transplants so as to prevent them from unwittingly becoming involved in murder in the form of forced organ harvesting from prisoners of conscience and members of religious and ethnic minority groups.

Came from the Senate, **READ and ADOPTED.**
READ and ADOPTED in concurrence.

Non-Concurrent Matter

Bill "An Act Concerning Pavement Sealing Products"
(H.P. 670) (L.D. 906)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166)** in the House on April 30, 2019.

Came from the Senate with the Minority (4) **OUGHT NOT TO PASS** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ and ACCEPTED** in **NON-CONCURRENCE.**

On motion of Representative MOONEN of Portland, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act Regarding the Sale and Release or Abandonment of Balloons"

(H.P. 692) (L.D. 937)

Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-167)** in the House on April 30, 2019.

Came from the Senate with the Minority (4) **OUGHT NOT TO PASS** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ and ACCEPTED** in **NON-CONCURRENCE.**

On motion of Representative MOONEN of Portland, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Under suspension of the rules, members were allowed to remove their jackets.

The following items were taken up out of order by unanimous consent:

COMMUNICATIONS

The Following Communication: (H.C. 163)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

May 2, 2019

The 129th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 129th Legislature:

Under the authority invested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 822, An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol.

The bill prohibits the sale of motor fuel products in the State that contain ethanol greater than 10% unless the sale of such fuel is in a sealed container that contains one quart or less of the motor fuel.

The ethanol content of fuel is not required, nor regulated, by the Department of Environmental Protection. Today's gasoline contains ethanol primarily because of the federal Renewable Fuel Standard, an EPA-administered program that requires

transportation fuel sold in the United States to contain a minimum volume of renewable fuels.

Although gasoline containing 10 percent ethanol, or E10, is the most common type of motor vehicle fuel under the Renewable Fuel Standard, EPA also allows the use of motor fuel containing up to 15% ethanol in 2001 model year and newer passenger and flex-fuel vehicles. The use of E15 is prohibited in older light-duty motor vehicles, and all heavy-duty gasoline vehicles and engines, motorcycles and gasoline-powered equipment such as lawn and garden equipment and boats.

E15 is not currently sold in Maine, and, as of now, there is insufficient scientific evidence or data to support the claim that it adversely impacts health. A 2016 study conducted jointly by the Maine Center for Disease Control and Prevention and the Department of Environmental Protection concluded that "there does not appear to be any significant health impacts from the widespread use of E10 gasoline. The potential health impacts of fuel with much higher blends of ethanol have been less well studied." Without sufficient study, and given this fuel is not currently sold in Maine, I am not prepared for the state to declare a ban. However, if new and reputable scientific evidence emerges that higher levels of ethanol in fuel do in fact adversely impact health, I will be happy to revisit and reconsider this legislation.

For these reasons, I return LD 822 unsigned and vetoed.

Sincerely,
S/Janet T. Mills
Governor
State of Maine

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol (H.P. 596) (L.D. 822)

On motion of Representative MOONEN of Portland, **TABLED** pending **RECONSIDERATION** and later today assigned.

The Following Communication: (H.C. 162)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 7, 2019
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:
Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:
on May 1, 2019

Richard L. Trafton of Brunswick, Brent A. Burger of Oakland, Blue Keim of Dixfield and Lee Webb of Union for appointment to the Finance Authority of Maine.

Pursuant to Title 10 MRSA §965, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

The Honorable Joan Welsh of Rockport, Suzanne MacDonald of Rockland, the Honorable James A. Boyle of Gorham and Glenn S. Poole of Orrington for appointment to the Efficiency Maine Trust Board.

Pursuant to Title 35-A MRSA §10103, these appointments are contingent on the Maine State Senate's confirmation after

review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,
S/Sara Gideon
Speaker of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 164)
STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

May 7, 2019
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:
Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

- Education and Cultural Affairs
L.D. 1347 An Act To Promote High-quality After-school Programs in Public Schools
Environment and Natural Resources
L.D. 524 Resolve, Regarding the Promotion of Composting
Health and Human Services
L.D. 80 An Act To Create the Department of Substance Use Disorder Services
L.D. 230 An Act To Improve Access to Preventive, Cost-saving Dental Services
L.D. 304 An Act To Improve Stroke Care in Maine
L.D. 964 Resolve, To Study Housing Options for Persons with Mental Health Challenges and Substance Use Disorder
L.D. 1259 Resolve, Directing the Department of Health and Human Services To Adopt Rules To Streamline and Remove Barriers for Reimbursement for Providers of Dental Care Services
Inland Fisheries and Wildlife
L.D. 1124 An Act To Amend the Maine Outdoor Heritage Fund Grant Process
Marine Resources
L.D. 941 An Act To Further Define the Monhegan Lobster Conservation Area
State and Local Government
L.D. 391 Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County (EMERGENCY)
L.D. 806 An Act To Clarify the Definition of "Ancient Burying Ground"
L.D. 1066 An Act To Address Municipal Conflicts of Interest
L.D. 1086 An Act To Promote the Goals of the Low-emission Vehicle Program by Requiring That New Vehicle Purchases for the State Fleet Be Composed of a Minimum Percentage of Zero-emission Vehicles

- L.D. 1391 An Act To Ensure Consistency of Language in Municipal Documents with the Language in Comprehensive Plans
- L.D. 1439 An Act To Ensure Quality, Safety and Accountability on Public Construction Projects
- Transportation
- L.D. 203 Resolve, To Add a Safety Fence to the Penobscot Narrows Bridge
- L.D. 261 An Act To Restrict the Authority for Posting of Roads
- L.D. 331 An Act To Prohibit the Operation of Large Commercial Vessels in the Waters of Southern Mount Desert Island
- L.D. 344 An Act To Increase the Penalties for Illegally Passing a School Bus
- L.D. 586 An Act Regarding the Department of Transportation's Use of Sediment Erosion Control Systems
- L.D. 851 Resolve, To Effect Economies of Scale in Maine's Transportation Funding
- Veterans and Legal Affairs
- L.D. 1226 An Act To Make Criteria for State Veterans' Benefits Consistent within the Maine Revised Statutes
- L.D. 1493 An Act To Exempt Cribbage and Other Card Games from Licensing and Regulation When Conducted by Certain Organizations
- L.D. 1565 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Protect Voter-approved Measures
- L.D. 1570 An Act To Allow Residents To Register Online To Vote

Sincerely,
S/Robert B. Hunt
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Authorize the Public Utilities Commission To Determine the Amount of the E-9-1-1 Surcharge" (H.P. 1205) (L.D. 1681)

Sponsored by Representative BERRY of Bowdoinham. Cosponsored by Senator LAWRENCE of York. Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

Bill "An Act To Clarify the Definition of 'Consumer-owned Transmission and Distribution Utility'" (EMERGENCY) (H.P. 1207) (L.D. 1683)

Sponsored by Representative GROHOSKI of Ellsworth. Cosponsored by Senator LAWRENCE of York and Representatives: BERRY of Bowdoinham, DOUDERA of Camden, HANLEY of Pittston, KESSLER of South Portland, RYKERSON of Kittery. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed. Sent for concurrence.

Bill "An Act To Facilitate Entry of Immigrants into the Workforce" (H.P. 1209) (L.D. 1685)

Sponsored by Representative CLOUTIER of Lewiston. Cosponsored by Senator LIBBY of Androscoggin and Representatives: BRENNAN of Portland, DAUGHTRY of Brunswick, FECTEAU of Biddeford, HANDY of Lewiston, HARNETT of Gardiner, PERRY of Bangor, SYLVESTER of Portland, TEPLER of Topsham.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

Sent for concurrence.

Bill "An Act To Clarify the Right to Counsel for Juveniles and Improve Due Process for Juveniles"

(H.P. 1208) (L.D. 1684)

Sponsored by Representative MORALES of South Portland. Cosponsored by Senator MILLETT of Cumberland and Representatives: BAILEY of Saco, GATTINE of Westbrook, HARNETT of Gardiner, MADIGAN of Waterville, McDONALD of Stonington, MOONEN of Portland, O'NEIL of Saco, PLUECKER of Warren.

Committee on **JUDICIARY** suggested and ordered printed.

REFERRED to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

Bill "An Act Regarding the Timeliness of Payments to the State"

(H.P. 1212) (L.D. 1697)

Sponsored by Representative MARTIN of Sinclair. Cosponsored by Senator CLAXTON of Androscoggin and Representatives: EVANGELOS of Friendship, KINNEY of Knox, RISEMAN of Harrison. Submitted by the Treasurer of State and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

Bill "An Act To Amend the Laws Governing the Removal of Unlawful Signs"

(H.P. 1206) (L.D. 1682)

Sponsored by Representative McLEAN of Gorham. Cosponsored by Senator DIAMOND of Cumberland. Submitted by the Department of Transportation pursuant to Joint Rule 204.

Committee on **TRANSPORTATION** suggested and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent for concurrence.

Bill "An Act To Allow Maine Clean Election Act Funds To Be Used for Election Recounts"

(H.P. 1210) (L.D. 1686)

Sponsored by Representative ACKLEY of Monmouth.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

Pursuant to Statute

Department of Health and Human Services

Representative HYMANSON for the **Department of Health and Human Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28: Allowances for Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1211) (L.D. 1696)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

ORDERS

On motion of Representative NEWELL of the Passamaquoddy Tribe, the following Joint Resolution: (H.P. 1203) (Cosponsored by Senator ROSEN of Hancock and Representatives: ACKLEY of Monmouth, BRYANT of Windham, COLLINGS of Portland, HIGGINS of Dover-Foxcroft, MARTIN of Greene, RECKITT of South Portland, TALBOT ROSS of Portland, Senator: MOORE of Washington)

JOINT RESOLUTION RECOGNIZING MAY 5, 2019 AS NATIONAL DAY OF AWARENESS FOR MISSING AND MURDERED NATIVE WOMEN AND GIRLS

WHEREAS, according to a study commissioned by the federal Department of Justice, in some tribal communities Native American women face murder rates that are more than 10 times the national average; and

WHEREAS, according to the most recently available data from the federal Department of Health and Human Services, Centers for Disease Control and Prevention, in 2015 homicide ranged from the 2nd to the 7th leading cause of death for Native American and Alaska Native females between 1 and 39 years of age and remained a leading cause of death for most Native American and Alaska Native females between 40 and 64 years of age; and

WHEREAS, little data exists on the number of missing Native American and Alaska Native women and girls in the United States; and

WHEREAS, challenges in collecting and tracking data prevent a full understanding of the scope of the crisis of missing and murdered native women and girls; and

WHEREAS, over 175 tribal, state, regional and national organizations have joined with the National Indigenous Women's Resource Center in support of the resolution to create a National Day of Awareness for Missing and Murdered Native Women and Girls; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize May 5, 2019 as National Day of Awareness for Missing and Murdered Native Women and Girls and to recognize the importance of changes to address the crisis and to increase safety for Native American and Alaska Native women and girls.

READ and **ADOPTED**.

Sent for concurrence.

The **SPEAKER**: The Chair recognizes the Representative from Passamaquoddy Tribe, Representative Newell, who wishes to address the House on the record.

Representative **NEWELL**: Thank you, Madam Speaker. If I may please call for the Members of the House to stand and offer a moment of silence.

At this point, the Members of the House stood and joined in a moment of silence in honor of the Missing and Murdered Native Women and Girls.

On motion of Representative MAXMIN of Nobleboro, the following Joint Resolution: (H.P. 1204) (Cosponsored by Senator BELLOWES of Kennebec and Representatives: DOORE of Augusta, FECTEAU of Augusta, PLUECKER of Warren, STOVER of Boothbay, SYLVESTER of Portland, Senator: POULIOT of Kennebec)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO SUPPORT THE REFORM OF THE SOCIAL SECURITY OFFSETS OF THE GOVERNMENT PENSION OFFSET AND THE WINDFALL ELIMINATION PROVISION

WE, your Memorialists, the Members of the One Hundred and Twenty-ninth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States, as follows:

WHEREAS, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

WHEREAS, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

WHEREAS, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on

the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

WHEREAS, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

WHEREAS, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

WHEREAS, other participants in Social Security do not have their benefits reduced in this manner; and

WHEREAS, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

WHEREAS, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the Congress of the United States work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring that level of benefit by indexing it to inflation; and
3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Donald J. Trump, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

READ.

The SPEAKER: The Chair recognizes the Representative from Nobleboro, Representative Maxmin.

Representative **MAXMIN**: Thank you, Madam Speaker, good people of the House. This is a Resolution to call on Congress to reform the Windfall Elimination Provision and the Government Pension Offset. If somebody works in the public and the private sector, paying in to Social Security and another retirement plan, upon retirement Social Security benefits are cut because that retiree is so-called double-dipping. This is, of course, very unjust and unfair for so many hardworking Mainers who are not getting the retirement security that they deserve. I heard it from so many constituents and this is our way of saying that we need to do something about it. Thank you.

Subsequently, the Joint Resolution was **ADOPTED**. Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

Recognizing:

Levi Husson, of Hampden, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

(HLS 332)

Presented by Representative HAGGAN of Hampden. Cosponsored by Senator GUERIN of Penobscot.

On **OBJECTION** of Representative HAGGAN of Hampden, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Madam Speaker, Ladies and Gentlemen of the House, I am extremely proud to rise and speak in honor of a pillar of my community, a young man who achieved the lofty honor of Eagle Scout, Levi Husson.

I was extremely fortunate to have Levi in class for a full year. His moral character is impressive. He is one of the finest artists I've ever seen in my life. I have several of his beautiful works on my walls in class. His moral character is impressive. He stands up for everything that is good about the Boy Scouts of America. Some of his accomplishments are painting new lines on a parking lot at school, cleaning up the shore around Fort Knox, participating in Reads Across America, cleaning up memorial sites. He chose his Eagle project, building a bocce ball court to benefit Special Olympics of Maine and it's impressively huge. With the help of many volunteers, the project was built and completed over last summer.

People like Eagle Scout Levi Husson give me great hope for the future of our great State of Maine. Thank you, Madam Speaker.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-76)** on Bill "An Act To Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine"

(S.P. 69) (L.D. 257)

Signed:

Senators:

CLAXTON of Androscoggin
DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair
BRYANT of Windham
EVANGELOS of Friendship
PEBWORTH of Blue Hill
RISEMAN of Harrison

VEROW of Brewer

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

DAVIS of Piscataquis

Representatives:

HEAD of Bethel

KINNEY of Knox

REED of Carmel

TUELL of East Machias

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-76)**.

READ.

On motion of Representative MARTIN of Sinclair, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-76)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-76)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act To Require Ingredient Lists at Certain Retail Food Locations"

(H.P. 372) (L.D. 515)

Signed:

Senators:

DILL of Penobscot

BLACK of Franklin

Representatives:

HICKMAN of Winthrop

HALL of Wilton

KINNEY of Knox

KRYZAK of Acton

MAXMIN of Nobleboro

McCREA of Fort Fairfield

O'NEIL of Saco

ROBERTS-LOVELL of South Berwick

SKOLFIELD of Weld

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-202)** on same Bill.

Signed:

Representative:

PLUECKER of Warren

READ.

On motion of Representative HICKMAN of Winthrop, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-192)** on Bill "An Act To Establish the Fund To Support Local Fruits and Vegetables Purchasing"

(H.P. 675) (L.D. 920)

Signed:

Senators:

DILL of Penobscot

DIAMOND of Cumberland

Representatives:

HICKMAN of Winthrop

HALL of Wilton

KINNEY of Knox

MAXMIN of Nobleboro

McCREA of Fort Fairfield

O'NEIL of Saco

PLUECKER of Warren

ROBERTS-LOVELL of South Berwick

SKOLFIELD of Weld

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

BLACK of Franklin

Representative:

KRYZAK of Acton

READ.

On motion of Representative HICKMAN of Winthrop, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-192)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-192)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-200)** on Bill "An Act To Establish the Summer Success Program Fund"

(H.P. 359) (L.D. 502)

Signed:

Senators:

MILLETT of Cumberland

CARSON of Cumberland

Representatives:

KORNFIELD of Bangor

BRENNAN of Portland

DODGE of Belfast

FARNSWORTH of Portland

INGWERSEN of Arundel

McCREA of Fort Fairfield

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

- DRINKWATER of Milford
- FECTEAU of Augusta
- RUDNICKI of Fairfield
- SAMPSON of Alfred

READ.

Representative KORNFIELD of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This bill essentially is a summer-long summer school program and it's really not needed. Schools can already tap into the federal funds to do these types of programs and, additionally, we already have libraries and community programs running throughout the summer that make these educational opportunities available to children. This is an unnecessary expense and I would ask that you oppose this measure.

Representative FECTEAU of Augusta **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker. I rise in opposition of the pending motion.

At the root of this bill is the issue of the infamous summer slide. This entire bill can be remedied by having a Department of Education post on their website recommended reading and educational material for each and every grade level. Department of Education recommended material could be used by libraries, YMCA camps, rec clubs and even for-profit summer camps that are already doing this. Libraries would be very willing and able to share with parents grade-appropriate materials so children can move to the next grade level successfully. We don't need to run towards any and every opportunity for grants and extra funds. It can be handled in a simple way. Reading with your kids works. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 66

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Sylvester, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, DeVeau, Fay, Grignon, Ingwersen, Stover, Talbot Ross, Theriault.

Yes, 87; No, 53; Absent, 9; Excused, 1.

87 having voted in the affirmative and 53 voted in the negative, with 9 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-200)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-200)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-206)** on Bill "An Act To Provide Sustainable Funding for Drinking Water and Wastewater Infrastructure"

(H.P. 273) (L.D. 347)

Signed:

Senators:

- LAWRENCE of York
- MIRAMANT of Knox
- WOODSOME of York

Representatives:

- BERRY of Bowdoinham
- CAIAZZO of Scarborough
- DOUDERA of Camden
- FOSTER of Dexter
- GROHOSKI of Ellsworth
- KESSLER of South Portland
- RILEY of Jay
- RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

- GRIGNON of Athens

READ.

On motion of Representative BERRY of Bowdoinham, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-206)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-206)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Ensure the Regional Greenhouse Gas Initiative Trust Fund Continues To Promote Energy Efficiency and Benefit Maine Ratepayers"

(H.P. 559) (L.D. 754)

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox

Representatives:

BERRY of Bowdoinham
DOUDERA of Camden
GROHOSKI of Ellsworth
KESSLER of South Portland
RILEY of Jay
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-207)** on same Bill.

Signed:

Representatives:

CAIAZZO of Scarborough
FOSTER of Dexter
HANLEY of Pittston

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative HANLEY of Pittston **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. This bill simply was going to restore about \$3 million of REGI funds which are collected from energy producers, and this money goes to employers in the State of Maine to help offset their costs. It truly is an employer bill that aids our employers in the state, and I ask you to follow my light. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, I would suggest to Members that we currently do provide a great deal of funding to the sector that was just referred to in the form of energy efficiency assistance and it's my understanding that roughly \$12 million has been invested in this sector over the past nine years. These are efficiency investments in large paper mills and other manufacturers that not only help that sector to do what it does more efficiently and effectively, but also make sure that the investments that are made are investments in Maine and in Maine's economy and Maine's future.

Money is fungible and it's very easy if we simply give money for that money to leave the state and never come back,

but energy efficiency investments in Maine plants, in Maine manufacturers, will stay here, will continue to create jobs and will also power our green energy future. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 67

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Peberworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Sylvester, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Caiazzo, Campbell, Corey, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, DeVeau, Fay, Grignon, Ingwersen, Marean, Stover, Talbot Ross, Theriault.

Yes, 86; No, 53; Absent, 10; Excused, 1.

86 having voted in the affirmative and 53 voted in the negative, with 10 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Eliminate the 100-megawatt Limit on Hydroelectric Generators under the Renewable Resources Laws"

(H.P. 757) (L.D. 1027)

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox

Representatives:

BERRY of Bowdoinham
CAIAZZO of Scarborough
DOUDERA of Camden
GROHOSKI of Ellsworth
KESSLER of South Portland
RILEY of Jay
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-208)** on same Bill.

Signed:

Senator:
WOODSOME of York

Representatives:
FOSTER of Dexter
GRIGNON of Athens
HANLEY of Pittston

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative HANLEY of Pittston **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, this piece of legislation was put in place 20 years ago to help promote wind and solar and it's done its job. It's time to remove these dinosaurs from legislation and that was the intention of this bill. I ask you to follow my light and defeat the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, I just want to use this opportunity to clarify in support of the pending motion that there is no law in Maine or rule that prevents hydroelectric generators who generate at over 100 megawatts from selling into our grid here. It is perfectly legal now. It's a common misconception that there is a law against it, but there is no such law.

The matter that is raised by this bill is whether we should subsidize with Maine ratepayer dollars the large dams that exist not in Maine but in other parts of the world. Our renewable portfolio standard exists to encourage indigenous clean energy generation and the jobs associated with it and so, Madam Speaker, Men and Women of the House, I hope you will support the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. So, I'm pretty sure there is a law because we keep bringing this up every single year and, unfortunately, in New England we are facing unprecedented retirements of coal, nuclear, and oil plants and ISO New England has suggested that in the very near future we will need another 8,300 megawatts of energy to actually cover that, and the administration of this has cost us quite a few million dollars a year. And, in addition to that, I think the cap was put on previously 20 years ago and it was an arbitrary number that was selected just out of the blue to push solar and wind and as the Good Representative from Pittston said, it's outlived its time. Thank you.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Riley.

Representative **RILEY**: Thank you, Madam Speaker. Madam Speaker, I rise just to speak briefly to this.

The RPS is what's being debated here today and allowing those class -- hydro is under 100 megawatts is subject to class one reqs which are worth considerably more than class two reqs. If we slide that -- if we get rid of that 100-megawatt limit, what we're doing is saying that large producers of hydro can get larger subsidies for their power production. It will disrupt a

very carefully balanced market fairly -- without a whole lot of thought to how that will impact other producers. I strongly recommend people vote no -- vote in support of the Ought Not to Pass. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 68

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Sylvester, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tepler, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, Grignon, Ingwersen, Stover, Talbot Ross, Theriault.

Yes, 86; No, 56; Absent, 7; Excused, 1.

86 having voted in the affirmative and 56 voted in the negative, with 7 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

The SPEAKER: A couple of reminders to Members of the House as we begin our next debate.

So, first, I know we have a full gallery and a reminder to Members who are in the gallery today that they may not disrupt any proceedings of the House and a reminder to Members of the House that during the course of our debate if you would please remember if you're referring to another Member in the chamber to refer to them by the town from which they come from and if you are speaking to please direct your comments not towards other legislators but towards the rostrum here. Also, just a reminder that no person may indulge in personalities or impugn the motives of Members and no Member may use indecent or profane language or participate in conduct that disrupts or disturbs the body.

So, just a reminder, which I will give periodically before some debates that we have but I thought it might be a good reminder today as we continue our work.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-210)** on Bill "An Act To Prevent Discrimination in Public and Private Insurance Coverage for Pregnant Women in Maine"

(H.P. 594) (L.D. 820)

Signed:

Senators:

SANBORN, H. of Cumberland
GRATWICK of Penobscot

Representatives:

TEPLER of Topsham
BRENNAN of Portland
BROOKS of Lewiston
FOLEY of Biddeford
MASTRACCIO of Sanford
MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

FOLEY of York

Representatives:

BLIER of Buxton
MORRIS of Turner
PRESCOTT of Waterboro
SWALLOW of Houlton

READ.

Representative TEPLER of Topsham moved that the House **ACCEPT** the Majority **Ought to Pass as Amended Report**.

The SPEAKER: The Representative from Topsham may proceed.

Representative **TEPLER**: Thank you, Madam Speaker. LD 820, which is the matter at hand, will allow women, regardless of their income, to make decisions about their pregnancies in consultation with their medical providers without the fear of being denied coverage.

Fifteen states already provide comprehensive coverage within their Medicaid program and eight others provide expanded coverage. The decision about whether to have an abortion is deeply personal. It involves a complex weighing of a woman's unique circumstances, her medical needs, her private morality and her own body. That is why it is a decision that must be made by a woman and her healthcare provider. More than half of the country's Medicaid-insured population are afforded broader coverage of abortion than those living in Maine. Maine women deserve the same basic healthcare that others receive across the country.

As chair of the HCIFS committee, I heard the stories of dozens of women who came forward to talk about their decisions to have an abortion and the hardships that they faced when coverage for that abortion was denied. They were honest, they were courageous, and they were heartbreaking. We heard about women dealing with addiction, women in violent relationships, women desperate to find the money to pay for an abortion, and women who were struggling to raise a family and knew they could not afford another child, and women who received tragic news about their health and their pregnancies that meant abortion was the safest option for

them. I also have heard about women who experienced miscarriage and were denied coverage because of the similarities between the procedures and the medications used for miscarriage treatment as for those that are used for abortion. All of these people knew that their decision was the right one for them and for their families and for their future.

So, as you vote on this legislation, I urge you to consider the consequences of what these restrictions might mean for Maine women and their families. Thank you.

Representative MORRIS of Turner **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended Report**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Morris.

Representative **MORRIS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise today to speak in opposition to the pending motion.

Everybody in this body knows the history of this issue; the 1973 Supreme Court ruling and *Roe v. Wade* effectively legalized abortion in the United States. In the 46 years since that ruling, no issue has been more polarizing to our nation. This debate today is not about the 46-year argument over whether we are pro-life or pro-choice. To be sure, there are many people who I know and respect that have a pro-choice position. While I may take a different perspective, I can respect that those that believe the decision should be a private one for the woman based on her life circumstance. But I believe this bill goes further. I believe this bill crosses a line from being pro-choice to being pro-abortion. It seeks to require that taxpayers pay for abortions, currently not allowed with Medicaid dollars because of the Hyde Amendment.

Let's be clear what the Hyde Amendment does and what we're talking about. The Hyde Amendment does allow for coverage for abortions if the pregnancy is a result of rape, incest or there is a threat to the mother's life if she carries the baby to term. The bill asks those of us morally opposed to abortion as a method of birth control to pick up the tab. Many of the people that I know that are pro-choice object to the idea of requiring taxpayers to pay for or mandating that insurance cover what is ultimately an elective procedure, not healthcare. This bill seeks to treat abortion as just another routine medical procedure like a tonsillectomy rather than the very difficult and life-altering operation that it is.

Don't take my word for it; I encourage you to read the book *Unplanned* by Abby Johnson. Abby was the director for a Planned Parenthood clinic in Bryan, Texas. One day she was asked to take part in ultrasound-guided abortion at her clinic. After seeing the fetus on the screen, it reminded her of her own baby and after witnessing the procedure firsthand, what she saw mortified her so much that she quit her job with Planned Parenthood and became an ambassador for life.

We should also be worried about the unintended consequences of this bill. In addition to require that taxpayers pay for abortion through MaineCare, it mandates that private insurance cover abortion services as well. We heard from many people in the testimony, business owners that did not want to have to cover such a procedure.

How many Mainers will lose their health coverage because their employers don't want to be forced to pay for coverage for a procedure that they find morally reprehensible? Perhaps the most objectionable thing about this bill is the title itself. To suggest that there is some nefarious discrimination taking place, as if there should be the responsibility of the

public at large or your insurance to pay for the consequence of a person's decisions is both offensive and disingenuous. If we believe that an individual is free to make their own choices, then why should we not expect them to pay for their own consequences?

For me, this issue does come down to the basic question of when does life begin. We now know that a heartbeat can be detected as early as three weeks gestation. As President Reagan once said, simple morality dictates that unless and until someone can prove the unborn human is not alive, we must give it the benefit of the doubt and assume it is alive. I urge this body to reject the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I stand to ask your support of LD 820, a bill that requires that any insurer, public or private, that covers pregnancy care must cover the full range of pregnancy care. That means prenatal, postnatal, and abortion services.

This bill puts an end to using a women's access to insurance coverage as an unequal discriminatory barrier to a safe, legal abortion. I'll repeat something you've certainly heard before; no one, no politician, no insurance company should ever come between any person and their healthcare provider in making personal medical decisions. This is just as true for decisions about whether to continue a pregnancy as it is for other healthcare decisions. By putting restrictions on some people's access to medical care through selective insurance coverage, we've created a system that opens the door for those with means to pay while slamming it for those less fortunate. It's unfair and it's discrimination.

Polling was done last month to get the latest opinions on access to abortion services from Maine voters. Sixty-five percent personally believe abortion should be legal in all or most cases and regardless of their personal feelings a majority of voters say that if a woman has decided to have an abortion the experience should be supportive, that was 83%, affordable, that was 79%, available in her community, and that was 79%, without added burdens, 76%, and covered by her insurance, and that was 70% of Mainers. Put simply, a majority, or 76% of Mainers, believe women should be able to put their own medical decisions about abortion without politicians or insurance companies denying care. In fact, more than seven in ten Mainers believe politicians should not be allowed to deny a woman's healthcare coverage for abortion just because she's poor and that it's vital that a woman be able to consider all her options, including abortion, no matter what type of health insurance she has.

Regardless of age, gender, party, or region, a majority of Mainers agree that politicians and insurance companies should not be denying women coverage for abortion services. Equal coverage for the full range of pregnancy care including safe, legal abortion, is not only the right thing to do, it's the smart thing to do in terms of health and in terms of cost. We support people on their path to self-sufficiency and economic security by removing barriers and increasing the option people have in achieving their personal goals, whether it's about finishing high school or college, continuing their education even further, following their chosen career path or whether and when to start a family. Abortion is legal in 50 states. Blocking access to this legal, safe medical procedure is merely thinly-veiled discrimination. The Hyde Amendment was passed in 1976 specifically to prevent federal Medicaid coverage of abortion except in extreme circumstances, which you'd still have to

prove and fight for. This policy by design and intent singles out people in poverty, especially people of color, who are eligible for Medicaid coverage by specifically preventing them from access to abortion care. Passage of LD 820 will end this discriminatory policy and bring full access to pregnancy care to Maine people. Fifteen states have already chosen to use their state healthcare resources to provide abortion care and another seven have expanded coverage for circumstances beyond the Hyde Amendment's restrictions.

Before abortion was legal, hospital wards were full of patients who had tried to end pregnancies by any means they could find; toxic chemicals, coat hangers, physical violence. Many developed severe infections and though some recovered many became infertile or died. When abortion was declared legal in the United States, we finally had access to safe abortions without needing to resort to those dire consequences. When women are denied access to abortion and forced to continue a pregnancy, they are much more likely to live in poverty, to experience serious health complications from the pregnancy, to have less healthy babies, to stay in violent relationships where forced pregnancy is used to keep control and to suffer from mental health disorders. Denying coverage isn't just discriminatory, it causes lasting consequences. Instead of denying access to abortion, let's stop interfering in personal medical care decisions and let's make sure we are increasing access to the safest, most effective contraception, to family planning services, to accurate information about sexual health and reproduction. We know that reducing unintended pregnancies reduces the number of teen pregnancies, reduces the number of babies with neonatal abstinence syndrome due to drug exposure, reduces the number of abortions and benefits our entire society by reducing child poverty and long-term consequences that cause so much in lost personal and economic potential. Choosing whether and when to become a parent is one of the most important decisions we will make, and it's vital that we have the opportunity to consider all the options available to us, no matter our income or our type of insurance. I urge you to support the Ought to Pass motion on LD 820. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. It's no secret that I'm a pro-life conception to natural death legislator but this bill is not about whether or not abortion is legal in the eyes of man because that ship sailed many years ago.

This bill requires the Department of Health and Human Services to provide coverage to a MaineCare member for abortion services. The bill provides that abortion services that are not approved Medicaid services must be funded by the State. It also requires that health insurance carriers that provide coverage for maternity services also provide coverage for abortion services. It applies this requirement to all health insurance policies and contracts issued or renewed on or after January 1, 2020, except for those religious employers granted an exclusion of coverage. What about religious employees or religious taxpayers that have to foot this bill?

Having said that, we can consider these points. We know the Hyde Amendment is a federal legislative provision that precludes the use of federal funding to pay for abortions except to save the life of the mother or if the pregnancy is due to rape or incest. Former U.S. Surgeon General, C. Everett Koop, once said protection of the life of the mother as an excuse for an abortion is a smokescreen. In my 36 years of pediatric

surgery, I have never known of one instance where the child had to be aborted to save the mother's life. If toward the end of pregnancy complications arise that threaten the mother's health, the doctor will induce labor or perform a cesarean section. The doctor's intention is to save the life of both the mother and the child. The baby's life is never willfully destroyed because the mother's life is in danger. So it's interesting that this bill anticipates that the federal funding will not be available and thus our Maine citizens will foot the bill.

LD 820 also forces health insurance carriers that provide coverage for maternity service provide for abortion services. Fair is fair, right? Well, we know the Supreme Court has looked at the so-called discrimination aspect of funding live birth and abortion. We know that the Supreme Court has said it is perfectly legitimate to support life and perfectly correct to not support abortion as abortion is inherently different from other medical procedures because no other procedure involves the purposeful termination of a potential life. What if that's the person who finds a cure for pancreatic cancer or diabetes, heart disease, Alzheimer's -- sorry. The list goes on and on.

This is not about healthcare. A life is taken every time an abortion is performed and just because it's legal doesn't make it right. It's an extreme form of birth control.

It's not even about access because it's so accessible in Maine, so easily available to get an abortion in Maine that people are traveling from at least 18 different states including Hawaii - I mean, you can't get much farther away from Maine than Hawaii - and Canada because it's so readily available here.

The Constitution of the State of Maine has religious freedom -- this is Section 3, religious tests prohibited, religious teachers, all individuals have a natural and unalienable right to worship almighty God according to the dictates of their own consciences and no person shall be hurt, molested, or restrained in that person's liberty or estate for worshipping God in the manner and season most agreeable to the dictates of that person's own conscience nor for that person's religious professions or sentiments provided that that person does not disturb the public peace nor obstruct others in their religious worship and all persons demeaning themselves peaceably as good members of the State shall be equally under the protection of the laws and no subordination nor preference of any one sect or denomination to another shall ever be established by law nor shall any religious test be required as a qualification for any office or trust under the State and all religious societies in this State, whether incorporate or unincorporate, shall at all times have the exclusive right of electing their public teachers and contracting with them for their support and maintenance. Again, LD 820 violates the Maine Constitution.

On December 5, 2018, I signed a little paper and I held my hand up and swore; I, MaryAnne Kinney, do swear I will support the Constitution of the United States and of this State so long as I shall continue a citizen thereof, so help me God. I, MaryAnne Kinney, do swear I will faithfully discharge to the best of my abilities the duties incumbent on me as a Representative in the 129th Legislature of the State of Maine according to the Constitution and laws of this State, so help me God.

In closing, we know that abortion is not healthcare. We know there is no crisis causing the legislation to come forward and we know, unfortunately, abortions are very easy to get. At this point, Madam Speaker, I make a motion to Indefinitely Postpone LD 820 for it's unconstitutional.

The same Representative moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative **MOONEN** of Portland **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: Now, I have in queue about 20 people. I'm assuming that the people in queue want to speak on the roll call? If so, you may leave your name in queue and I will continue to call on you. So, the pending question is now Indefinite Postponement and the Chair will continue with the Members who are in queue. The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I rise in opposition to the pending motion and in support of LD 820 for a number of reasons, primarily that I believe that a woman's healthcare should be between her and her provider and that the government and politicians should not be involved.

The **SPEAKER**: The Representative will defer. The Chair recognizes the Representative from Dixfield, Representative Pickett, and inquires as to why he rises.

Representative **PICKETT**: Madam Speaker, Point of Order; I believe that the motion on the floor is to indefinitely postpone and all testimony should be given toward that; correct?

On **POINT OF ORDER**, Representative **PICKETT** of Dixfield asked the Chair if the remarks of Representative **MOONEN** of Portland were germane to the pending question.

The **SPEAKER**: The Chair will answer that the Chair inquired to Members if they would like to continue debate after the indefinite postponement was offered and offer to Members to please remove their names from the queue if they would like to vote immediately. Because a very large number of people are still in queue, the debate continues on the motion at hand, which is indefinite postponement. The Representative may continue.

The Chair advised Representative **PICKETT** of Dixfield that the remarks of Representative **MOONEN** of Portland were germane to the pending question.

Representative **MOONEN**: Thank you, Madam Speaker. I am opposed to the motion to Indefinitely Postpone because I support this bill.

The **SPEAKER**: The Representative will defer. The Chair recognizes the Representative from Caribou, Representative DeVeau, and inquires as to why he rises.

Representative **DeVEAU**: I have a question to the previous motion.

The **SPEAKER**: The Representative may proceed with his question.

Representative **DeVEAU**: My understanding is this is an undebatable motion.

On **POINT OF ORDER**, Representative **DeVEAU** of Caribou, regarding the remarks of Representative **MOONEN** of Portland, asked the Chair if the issue before the House was up for debate.

The **SPEAKER**: The Chair would answer in the negative. The motion is debatable. The motion is Indefinite Postponement.

The Chair advised Representative **DeVEAU** of Caribou that a motion to Indefinitely Postpone is up for debate.

The **SPEAKER**: The Representative may proceed. Representative **MOONEN**: Thank you, Madam Speaker. I am opposed to the motion to indefinitely postpone because I

support LD 820 because I believe a woman's healthcare should be between her and her doctor and that government and politicians should not get involved. Also, I support LD 820 because the current restriction violates our state's constitution. Every pregnant person faces two constitutional protected choices; to continue a pregnancy to term or end it. Regardless of her decision, it is undisputed that someone who is pregnant will need medical care. In contrast to the broad coverage provided to MaineCare recipients who continue their pregnancies, DHHS withholds abortion coverage from MaineCare eligible people in nearly all circumstances. Our law court has recognized that the right to make intensely personal decisions about one's body, one's health, and one's intimate relationships free from unwarranted government interference is a fundamental constitutional right protected by the Maine Constitution. The decision to continue or terminate a pregnancy lies at the core of that right. By providing coverage for all necessary medical expenses for patients who decide to continue a pregnancy but withholding coverage for patients who decide to terminate their pregnancy, the State imposed coercion on this most personal of decisions. Forcing or coercing a woman to carry her pregnancy to term against her will, delaying her access to necessary abortion care, and/or compelling her to make dangerous sacrifices in order to afford abortion jeopardizes her right to pursue and obtain her own liberty and safety.

In addition, the current MaineCare restriction discriminates against Mainers in violation of Article I, Section 6-A of the Maine Constitution because poor and low-income people will receive MaineCare coverage for the healthcare they need only if they exercise their right to continue their pregnancies and not if they exercise their right to end the pregnancy. This is a textbook example of unequal treatment of similarly-situated individuals solely on the basis of the exercise of one constitutional right as opposed to another. Courts in other states have found that identical restrictions violate similar or identical prohibitions on discrimination by covering only one of two mutually exclusive options. For a patient population that are dependent on MaineCare, the State takes the decision away from the patient, who is in the best position to decide what is best for them. LD 820 corrects that wrong that has harmed low-income people in Maine for decades. I urge you to follow my light in opposition to this motion and in support of this bill.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you. I have a question for the Chair.

The SPEAKER: The Representative may proceed.

Representative **DILLINGHAM**: It is my understanding that we are currently debating the motion of Indefinite Postponement. Members can continue to debate that motion but if we would like to go forward and hold the vote on the indefinite postponement measure, should it fail, we would then be back to the motion of Ought to Pass and Members could then continue to debate the Ought to Pass motion; is that correct?

The SPEAKER: The Chair would answer in the affirmative. So when the indefinite postponement motion was made, that did take precedence over the previous motion which was Ought to Pass. Because there are members who are in queue, we are now debating that new motion, the Indefinite Postponement motion. If Members would like to hold a vote on the motion for Indefinite Postponement, Members

would need to de-press their button so that I may go ahead and call that vote.

The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Madam Speaker. I would like to ask a question through the Chair.

The SPEAKER: The Representative may proceed.

Representative **MOONEN**: Thank you, Madam Speaker. So, if we want to vote on this motion to Indefinitely Postpone, it makes sense for Members to de-press their button to end the debate on Indefinite Postponement so we can vote on it and then return to debating on the other motion should Indefinite Postponement fail.

The SPEAKER: The Chair would answer in the affirmative.

Representative **MOONEN**: Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **KINNEY**: Thank you. My question would be through the Chair for the Representative from Portland, he mentioned a section of the Constitution in Article I and I think I misheard the section that he referred to where abortion was specifically spelled out in the Constitution and I was wondering if I could have him just repeat that section of Article I.

The SPEAKER: The Representative from Knox, Representative Kinney, has posed a question to the Representative from Portland if he would like to answer.

The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Madam Speaker. I rise to answer the question of the Member from Knox. I said that the current MaineCare restriction discriminates against Mainers in violation of Article I, Section 6-A of the Maine Constitution. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 69

YEA - Alley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin J, Martin R, Martin T, Mason, Millett, Morris, Nadeau, O'Connor, Ordway, Perkins, Perry J, Pickett, Prescott, Reed, Rudnicki, Sampson, Sheats, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Verow, Wadsworth, White B, White D.

NAY - Ackley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sylvester, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

ABSENT - Brooks, Cebra, Craven, Grignon, Higgins, Ingwersen, Stover, Talbot Ross, Theriault.

Yes, 63; No, 77; Absent, 9; Excused, 1.

63 having voted in the affirmative and 77 voted in the negative, with 9 being absent and 1 excused, and accordingly the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers **FAILED**.

The SPEAKER: Before we go further with debates and as the queue re-forms, I will remind Members that if they are in the chamber they need to vote and if they are not in the chamber when the bell rings they need to come in and vote. In this instance, we held the vote open but it is the responsibility of Members to be in their seats to vote and in the future the vote will close and if Members have not voted who are in their seats, I will call on those Members to stand up and deliver their vote.

The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand today in opposition to the pending motion.

For some time now, the abortion advocates and pro-life advocates have differed with but also tolerated each other's position. Advocates for the abortion side recently were still talking about abortion being safe and rare. They told us that as long as we do not force someone to have an abortion or to pay for one, we should not deny them their right to have an abortion. That philosophy, however, seems to have changed or possibly even disappeared as we confront multiple overreaching bills in this legislative session. LD 820 would thus force Maine taxpayers to pay for abortions.

A recent Marist College poll tells us that 61% of Americans do not support taxpayer-funded abortion and that includes 40% of Americans who identify as pro-choice. So, we can clearly see that there is no call from the public for this move to generate taxpayer-funded abortions. In testimony at the public hearing, we did not hear that the Maine women were not allowed to get an abortion. Perhaps they might have to wait a day or even travel a bit but, again, why do we need taxpayer monies for a service that is already available to them.

Now, if you take time to study the abortion industry including the giant organization known as Planned Parenthood, you will find that they generate an amazing amount of funding. So, again, I ask you, Madam Speaker, why must taxpayers, including a strong majority who are against abortion, fund staffing and facilities for this business and industry.

Abortion is not healthcare. Do not be fooled. In fact, the Supreme Court has told us the State has a clear interest in raising babies. Proponents gave us no numbers or feedback that demonstrated this legislation is needed. LD 820 is clearly part of an agenda run amok this legislative session, in my opinion. If there is a positive, Maine people, I believe, are standing up and taking notice and seeing what is actually going on here.

I believe, personally, that life begins at conception and I do not want my taxpayer dollars to pay for taking the life of a child. That's my own personal belief and I do not want my taxpayer dollars paid in any way, shape or form for that procedure. So I hope, Madam Speaker, you and others here in this chamber will join me in defeating this motion. It's not a motion about rights of women, it's a motion about taxpayers having to take and pay for something that they do not believe in nor do they want and having it legislated to them that your tax dollar will go for it. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative **O'NEIL**: Madam Speaker, I rise in support of the legislation before us.

The issue before the chamber is difficult to discuss. The decision of when and whether to become a parent is one of the most personal decisions we make in our lives. Each of us has formed a position on this issue that is integral to our values and our personal experiences. When a woman must make such an important decision as when or whether to become parent, it is essential that each woman is able to make her decision with all options available to her, regardless of how little she earns or how she is insured.

When the State or insurance companies elect to cover one healthcare option and deny another, the right to make such a decision personally, privately, and in the interest of one's own health and safety is taken away. We've heard that when a woman is denied access to an abortion once she has already made the decision to end her pregnancy, that woman is four times more likely to fall into poverty. She and her child are more likely to experience serious health complications during her pregnancy and she is more likely to stay tethered to an abusive partner.

This last point was explained when the Maine Coalition to End Domestic Violence testified in support of this legislation. I'm going to share part of that testimony here because I think it's important to hear. A woman's reproductive health is often a target of control for an abusive man. Some abusers will use deceptive tactics to force a woman to become pregnant against her will. A man might poke holes in condoms, hide his partner's pills or keep her from her medical appointments. In these cases, an abusive partner uses the child to control the woman and to limit her options to escape. It's an unfortunately solid plan from his perspective since having a child together will keep them connected for many years. Such behavior is called reproductive coercion and it has a real impact on the rates of unintended pregnancy. Forty percent of women who have been exposed to abuse report that their pregnancy was unintended compared to just 8% of pregnant women who have not experienced abuse. The coalition's testimony continues. So many women I have spoken with have named an unexpected pregnancy as the reason their escape plans fell apart, saying it is like he always just knew when I was getting ready to leave. If a woman does manage to get out, the abuser will use the connection forged through the child to continue his harassment, coercion and violence, using visitation, court processes and any other tool at his disposal. This is a pattern that the coalition sees over and over again. At the same time, some abusive partners are more violent during pregnancy. Homicide is the second leading cause of traumatic death for pregnant and recently pregnant women in the U.S., accounting for 31% of maternal injury deaths. The safety risks are too real. Domestic abuse is widely recognized as among the most pressing issues facing women but often our solutions to the problem are developed in isolation, heavily focused on the criminal justice system, without adequate consideration for the framework of supports, services and needs that help us all live safe and secure lives. Autonomy over one's own body and the ability to decide when and if to have a child are central to survivors' wellbeing and cannot be separated from other efforts to help them live and thrive in safety and freedom. For so many women, family planning and abortion services are crucial parts of their safety plan as they seek to lead more independent, free and self-sustaining lives both during and after abuse. A survivor's ability to decide whether or not to

have a child has so much to do with her ability to manage the risks posed by her abusive partner. It is also key to being able to manage one's long-term economic security, which is what survivors cite most often as the barrier that keeps them trapped by their abusive partner.

I want to share my own story here, or a couple of stories. When I was in college, I was raped twice. Sadly, this experience is not uncommon for young women. It was at a time when I was not ready emotionally or financially to have a child and I faced the prospect of being made pregnant by people with whom I had no interest in raising a child. Aside from the trauma I experienced, it was terrible to consider that something might happen to my body and my future that I didn't want. My access to emergency contraception prevented me from having to make a different decision. I couldn't think very clearly at the time but I had a friend who helped me access it. But I know every woman does not have the opportunity to make the choice that I made for a host of reasons, especially in the instance of deception by an abusive partner. It scares me to think of a woman having that choice taken away from her simply because she doesn't have the right insurance coverage or she doesn't have the money to access the appropriate healthcare procedure.

I have also had an experience with domestic abuse and being controlled by a partner. It was terrifying. It was very difficult to remove myself from the situation and to get myself back on my feet. When I identified that I was unsafe, it took me over a year and a half to exit the relationship safely. Over many months, I took small steps to remove important belongings from our home so that it wouldn't be noticed. More than once when I removed a few small things and brought them to my mom's house, my partner became suspicious and it led to a frightening situation. I can't imagine trying to remove myself from a dangerous situation like that when a pregnancy or a child is part of the picture. I can't imagine how scary and difficult it would be to get out. That's what this comes down to for me; making sure that women have every healthcare choice available to them so that they can make determinations about the trajectory of their own lives, safety, and health, regardless of their insurance coverage and circumstance. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion.

I'd like to read an excerpt from the book *Liberty Defined* by Dr. Ron Paul, an OB/GYN who delivered more than 4,000 babies. The fact is that the fetus has legal rights, inheritance, a right not to be injured or aborted by unwise medical treatment, violence or accidents. Ignoring these rights is arbitrary and places relative rights on a small living human. The only issue that should be debated is the moral one; whether or not a fetus has a right to life. Scientifically, there is no debate over whether a fetus is alive and human. If not killed, it matures into an adult human being. It is that simple. So, the timeline of when we consider a fetus human is arbitrary after conception, in my mind. On this matter, I agree with Dr. Paul. The science is settled.

There are many more moral arguments against abortion but that isn't even what we're debating today. Today, we are debating who bears the responsibility for paying for elective abortions, so let's lay it out. In Maine, abortions are legal and easily accessible. There are nine facilities that perform abortions throughout the state. Abortions are affordable,

ranging from \$500 to \$1,000. Abortions that are in the case of rape, incest, or the safety of the mother are covered by DHHS Rule 90.05 by insurance and MaineCare already.

Maine abortion laws are not discriminatory. The courts have ruled on this. So why is this bill even brought forward? No matter what side of the abortion issue you are on, we should all agree that this isn't the proper role of government to fund elective abortions. Right now, elective abortions are rare and affordable. Why? Because the government doesn't fund them. If government starts funding elective abortions, first, the price will rise, second, the frequency will increase. We should all agree that these are bad outcomes. Please join me in voting no on the motion.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Foley.

Representative **FOLEY**: Madam Speaker, Women and Men of the House, I rise today in support of LD 820.

As a member of the Health Coverage, Insurance and Financial Services Committee, I listened closely to the testimony at the public hearing on this bill. We heard from faith leaders, medical providers, experts on sexual assault and domestic violence, who all supported the bill. But, most importantly, we heard from women who had made the decision to have an abortion and how insurance denying coverage harms them and their families.

It was clear that these women had carefully considered their decision. Some were already parents, others were just starting a career. Some were fortunate enough to have insurance cover their abortion, others were faced with desperate choices between borrowing money from family, holding off on paying their rent or delaying care.

We heard from women who were so desperate they considered harming themselves because they knew they wanted an abortion but didn't know how they would pay for it. We heard from a woman who after receiving devastating news about her pregnancy had to travel across the country to get the care she needed, and pay tens of thousands of dollars for medical treatment. It was heartbreaking. I believe we can do better for Maine women and this bill is one step towards that end.

LD 820 is an issue of equity and access. Abortion is a safe and legal medical procedure. It is part of the full spectrum of healthcare choices that are available to women. By limiting coverage or refusing to cover this service, we are denying women access to the full range of healthcare that they deserve. For those who may not know, the cost of a medication abortion is about \$500 out of pocket and the cost of an aspiration abortion may be \$1,000 or more. A recent Federal Reserve Board survey of Americans showed that 40%, four in ten Americans, would have trouble finding the cash to cover a \$400 unexpected emergency expense.

LD 820 is about equity and access so that people's healthcare choices are not limited by how much money they make or what their background is. I hope that you will follow my light in supporting and respecting the right of women to have access to the full range of healthcare services. Thank you.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative DeVeau.

Representative **DeVEAU**: Thank you, Madam Speaker, fellow Representatives of the House. I rise today in opposition to LD 820.

I had a testimony typed up by my aide because I wanted to make sure that today especially I was going to be politically correct and I'm already sensing that I'm going to be swaying

from that testimony because of some things that I've been hearing from both sides of the aisle. Some of the things that I've been hearing, while they may be true, really have to sit down and look at the totality of the issues. The section in our constitution, Article 1.6 and 6A, if you read it, you can actually see that it plays on both ends of this protection, whether it is as the Representative from Portland said it favors the abortion bill, I say it actually supports the taxpayer in the opposition to this. I also realize that generally as some side discussion that we've had here, a lot of these bills have already been decided on November 7th and this is probably one of those bills that's already been decided and we've been up here speaking for a number of hours or, excuse me, about an hour or so, and the discussion is something that's probably not going to sway either party.

But something that I did want to make notice of, and my son who is 15 is very interested in what I'm doing down here because he misses dad. He's a lot smarter than I am. He understands the Constitution; he's read both the State's and the U.S. Constitution and a lot of times he'll ask me questions that are beyond what I would expect from a 15-year-old. And some of the things he asks when we're talking about, you know, some of these tough bills that are coming up such as this one is; well, wait a second, dad, why is it that it's the taxpayer's responsibility to pay for someone who had sex? Now, this is -- he's 15, so we've had the talk and then he's had the many -- the multiple versions that's taught and spoke of at school about the talk. So he understands the process and how things happen and he says well, isn't it something that's pretty simple to fix, dad? I said well, what do you mean, son? He says if I can't afford the new game on my computer, I work to make sure that I go and get it and then I make a choice of whether or not I'm going to do it. He said if a person is in love with somebody and they can't afford a child, shouldn't they not have sex? And I said well, son, that would be putting the responsibility back on those individuals and I said to me, as a commonsense person, or I like to think commonsense, we have gotten away from making the individual or individuals in this case responsible for their actions. Now, I agree, and one of the things, and I am using my notes, Maine currently has programs in place through Planned Parenthood as well as Obama's Affordable Care Act to allow greater access to birth control with little to no expense to the patient. The SAFE program helps fund abortions for women who cannot pay the full costs. There are a number of families looking to adopt children and the list of alternatives to abortion could go on. I'm not opposing women's rights, and this is what I've said, because I don't, but it's a right to choose and it's about what makes sense for the Maine taxpayer.

So in thinking back to my son who's 15, who says why is it that it's the taxpayer's responsibility when these adults are having this? And I said well, son, there's cases where, you know, something's happened, like somebody's been raped, due to incest or -- I'm sorry, the three big ones that everybody talks about. And he says yeah, but, dad, is that what this bill is really aimed at? And I said no, son, because those are already covered. The State will cover those, the Feds will cover those, there's organizations that will cover those. And he asked me again, then why is it the taxpayer's responsibility? Son, I don't know. I said I'm new down there, to me this doesn't make sense for me to be paying taxes because somebody can't make a good choice on their own because this is an elective procedure. I think the *Bangor Daily* quoted me on what my testimony in the public hearing was, I won't repeat it, but it's an elective procedure. And he says okay, then, let me ask you

again, dad; why are we paying for it? He said I thought our taxes was to go and fix roads. And I said yeah, that's one of the things that we use it for. He said but why is the Department of Transportation now saying that they can't do a lot of the repairs to the roads and I said because right now our budget's, you know, we're working on our budget, we're trying to get it somewhere where it's manageable, and there's going to be cuts. Okay, well, what about, you know, the, you know, some other programs? I said those are things we have to look at and take priorities on those to determine if we're going to be funding those, appropriation handles that. He kept coming back for almost a half hour back to the one point; why is it the taxpayer's responsibility to pay for these abortions? It shouldn't be. Planned Parenthood is one of the largest businesses out there and nationally that has huge amounts of money in their coffers that is given to them from people who are generous in donations, through other means as well. If they're that well off that they can make so many donations to political PACs and things like that, then why aren't they putting it to what the intended purpose was.

And I just want to point out one last thing. I received some information today in reference to another - okay, I got to be careful about this one - about a comment that was made before. So, during the public hearing, there was some questions on the number of testimonies that were given and one of the groups fact-checked a lot of this stuff for me and the number of testimonies given was 781 testimonies. That way, they looked at what was submitted via email and what was submitted in the House -- excuse me, in the committee when they handed it off. The numbers against were 623, the numbers for were 151. That's 80% of the people who testified that day on that public hearing, over 80% of them were against this bill. These are the people that we, this body here, represent and if 80% of them are telling us that they do not approve of this bill then who is it for -- who is it from us? Who are we to say screw you guys, we're going to pass it --

The SPEAKER: The Representative will defer. The Representative will please refrain from using that language on the floor of the House.

The Representative may proceed, with that warning.

Representative **DeVEAU**: And I apologize. So, a couple other things that I wanted to mention on that; there was only seven that were not for or against the bill. And the last thing I want to mention is that there was question of well how many -- there was only two times that the religious exemption was discussed on this and I want to make a point that it was actually 125 times that it was mentioned. Thank you.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Pierce.

Representative **PIERCE**: Thank you, Madam Speaker. Madam Speaker and Fellow Members, I rise before you today in support of LD 820 because I fundamentally believe the decision about a pregnancy is best left to a woman in consultation with her healthcare provider.

Abortions need to be a safe, affordable medical procedure for a woman to consider if and when she needs it and there are countless reasons why someone might make the decision to end a pregnancy. It could be she is not ready to become a parent, it could be she is already a parent and not prepared to have another child, it could be she is excited to become a parent but learns that her health will be compromised by her pregnancy, or she receives tragic news that a baby she was planning for is seriously sick. All of these circumstances, insurance coverage is frequently denied.

When I was pregnant, I remembered my provider walking me through a myriad of tests that I would take to determine if the pregnancy was healthy. I remember the pangs of anxiety as I waited for the results and the relief when the news was good. Those memories become small blips in a pregnancy, quickly replaced by joys and excitement of parenthood. But that is not the case for everyone. Erin Wolf, a constituent of mine, shared her story when testifying in support of this legislation. She talked about the miscarriages she experienced before becoming pregnant with their third child. She was thrilled and her family was very excited to grow. But at 16 weeks, she had some routine lab work done and the results were slightly elevated. Her provider reassured her that this can happen, she was doing everything right, and not to worry. But the results led to other tests and increasing anxiety for Erin and her husband. She couldn't sleep, she couldn't eat, as she counted down the days until the final test would hopefully make this all go away and she could focus on the months ahead. Sadly for Erin and her family, it wasn't good news. His condition was dire, the baby's. He had the most severe type of spina bifida. It was the worst news for a couple but after careful consideration Erin, with the support of her husband and the medical provider, made the decision to end the pregnancy. It wasn't easy, and my heart goes out to Erin and her family.

Sharing her story during the public hearing was the first for her. Like many of the women who spoke for the first time about their abortions, she was nervous and worried about the response, but she was committed for speaking not just for her family but for the countless other women who could not be there that day. Erin was fortunate. Erin had insurance. But if she had been insured by Medicare or another plan, she would've been forced to pay out of pocket \$15,000 to receive the medical care she needs. That would've been a punishing end to an already very sad story. For Erin and other women in this situation, I urge you to follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Carmel, Representative Reed.

Representative REED: Thank you, Madam Speaker. Thank you, Ladies and Gentlemen of the House. I too rise in opposition to the pending motion.

There is no way under the sun that taxpayers should be expected to fund abortions. It has been consistently unpopular all across the United States, with more than 60% of the registered voters in opposition to funding abortions. Even the federal government has long opposed the funding of abortions because many Americans don't believe in it. I have always been pro-life and have never understood how we can take a life of an unborn child and call it freedom. This is what relativism and secular humanism does to a nation. Once you take God out of anything, it's all downhill from there.

To me, this is an attack upon the First Amendment right of freedom of religion. This law before us is not about medical necessities or healthcare or about a compelling interest, it's about power. It has often been said that the power to tax is the power to destroy. This bill presently before us runs roughshod over a Christian's conscientious objection to abortion and, to add insult to injury, we are being asked to fund something that many of us don't even believe in. Are there any rights beside the rights of progressives? Will there be anything left in Maine?

The SPEAKER: The Representative will defer. The Chair will issue a warning to the Representative to please remember not to impugn the motives of other Members. The Representative may proceed.

The Chair reminded Representative REED of Carmel that it was inappropriate to question the motives of other members of the House.

The SPEAKER: The Representative may proceed.

Representative REED: Will there be anything left in Maine that will be untaxed after this session? And what about the enormous cost of this to the taxpayers? I remember a few months past my 13th birthday, my father and brothers and I were shingling the old farmhouse and right out of the blue my father said, you know, son, if you're going to dance, you have to pay the fiddler. I'll be very honest about that, I didn't have the foggiest idea of what he was talking about at that time. But as I got older, I came to better understand what he was trying to tell me. Ordinarily a very quiet man, this is my father's way of telling me that my decisions that I would make would have consequences. I wish that he were here today so that I could tell him what he told me then is no longer true because here today we are saying go ahead and dance and don't worry about that fiddler because we're going to stick the taxpayers with the bill to pay him.

This is a bad idea. I just hope all across Maine the taxpayers are watching closely what is going on here in this State House. If they aren't upset over this bill, they probably won't be upset over anything. I'm opposed to abortion because every child born or unborn is a gift from God. Life begins at conception regardless of what the secular humanist might say. God knows the unborn child even while he or she is in the womb. I hope that many of you here today will stand up for the taxpayers and for those who are pro-life and vote to defeat this bill. Thank you, Madam Speaker, and thank you Ladies and Gentlemen of the House.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Tucker.

Representative TUCKER: Thank you, Madam Speaker and Ladies and Gentlemen of the House. Every family has its secrets and its tragedies. One of my sisters-in-law almost died because safe legal abortion was unavailable at that time and she went underground to find an unscrupulous and shifty person to perform a so-called back alley abortion. She was in hiding because of the shame, afraid to let her mother and sisters know. After returning from the procedure, she started bleeding. She and her boyfriend tried to hide the bleeding until the landlady found out and forced them to go to the emergency room. She was hemorrhaging and almost died. Luckily, she survived, married her boyfriend, and had two healthy kids. But this near-death experience scarred her emotionally.

A few years after that all happened, the 1973 Roe v. Wade decision came down. I was in law school at the time and when the decision came down, everybody was reading and discussing it. But there were only two of 90 students in the class who were women. The legal banter in the lunchroom was stilted and unreal. It focused on theoretical basis of the decision, constitutional considerations, legal precedence, privacy, the right to be left alone and there were many snarky remarks. There was little discussion of the real plight of girls and young women sometimes in panicked, confused and desperate situations. Luckily, gender balance in many professions has changed since then, beneficially. The health insurance committee has six women legislators including both chairs, all of whom voted Ought to Pass. We should listen to them. This is significant and persuasive.

The calm explanation of the nature and financial availability of all options will avoid panic, fear, and shame that sometimes can drive desperate people to impulsive and regrettable acts. The hostile environment surrounding abortion

debate confuses, scares, and panics some young women, especially those without the resources, the support, the education and money. And it can drive some of them to injury or death. These horrors are not theoretical, but real. This bill will save lives. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bradley, Representative Lockman.

Representative **LOCKMAN**: Thank you, Madam Speaker. Madam Speaker, I wish to pose a question through the Chair for anyone who cares to answer.

The **SPEAKER**: The Representative may proceed.

Representative **LOCKMAN**: I'm wondering why, given the fact that the abortion industry is so well-funded and that Planned Parenthood can actually afford to pay its CEO \$525,000 a year, why Planned Parenthood doesn't do pro bono abortions if they care so much about low-income women. Thank you, Madam Speaker.

The **SPEAKER**: The Representative has posed a question. Is there anyone who wishes to answer? The Chair recognizes the Representative from Gardiner, Representative Harnett.

Representative **HARNETT**: Thank you, Madam Speaker, Women and Men of the House. I rise today in support of the pending motion and as a co-sponsor of LD 820.

Today I am speaking for myself and also on behalf of my friend, the Good Representative from House District 40 in Portland as she is not able to be here today.

The **SPEAKER**: The Representative will defer. The Chair will remind the Representative; one Representative may not speak on behalf of another, but the Representative may proceed on behalf of himself. The Representative may proceed.

Representative **HARNETT**: Let us be honest with one another; we have a history that treated many among us unfairly, as less than equal, and indeed less than human due to their race, ethnicity, the color of their skin, and their ancestry, including the people that lived in Maine before the Europeans arrived. We also have a history of treating women as less than just because of their gender. One of the unfortunate results of that history is that many of our laws, even those described as fair and balanced, have a disproportionate impact on minority groups. Restrictions to reproductive healthcare have been particularly harmful to women of color and women who are poor. In 1980, Supreme Court Justice Thurgood Marshall wrote that the Hyde Amendment was designed to deprive poor and minority women of the constitutional right to choose abortion.

As the Good Representative from Portland noted at the public hearing on this legislation, because of our long history of social and economic inequality, linked to discrimination, women of color are more likely to rely on Medicaid or other public programs for healthcare services. For these same reasons, women of color are also at a higher risk for adverse reproductive healthcare outcomes. That means they are also disproportionately affected by the restrictions on the kinds of reproductive healthcare services that are accessible through public programs. The United States Census Bureau reports that poverty and unemployment rates for people of color in Maine are more than double what they are for white non-Hispanic Mainers. Prohibiting MaineCare, the state healthcare program for the poor and indigent from covering full reproductive healthcare in many, many circumstances is an issue of racial discrimination. Most people think of access to healthcare, reproductive healthcare, as a women's issue, which of course it is, but this restriction intentionally

discriminates against poor women who are disproportionately women of color. In this way, the restriction in coverage is a policy that not only violates reproductive rights and the principals of gender equity, but one that undermines racial and economic justice as well. Constitutional rights should not be reserved to those who can pay for them. Those rights are not for sale only to the highest bidder. We must take a hard and honest look at the historical existing and deeply entrenched inequities that impede the ability of women of color, poor women and those denied insurance benefits provided by their employers. When we identify those inequities, we must correct them. LD 820 does just that.

I know you all will follow your conscience. I also hope that you will address the longstanding racial and economic disparities that are embedded in our laws and support LD 820. Thank you.

Representative MOONEN of Portland assumed the Chair. The House was called to order by the Speaker Pro Tem.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to ask this question; is it legal for any one of us, you, me, and all the Members in this room, to go to our surrounding neighbors and forcibly take their money? It is not. It's illegal. It's a crime. Yet here we are, considering a bill allowing the state government to do what we as individuals are not allowed to do. That is to force taxpayers, our fellow citizens, to pay or to give us their money in other words. Therefore, how can we allow the State to do what individuals are not allowed to do? Isn't it still illegal? Abortion is an extreme yet elective procedure. This decision is an individual's choice and therefore an individual's responsibility. We as a legislative body, the representatives of the people, have no right to force the State to pay for a person or the people's individual personal choices. This is an extreme example of a flawed bill and I would ask that you oppose it. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from New Gloucester, Representative Arata.

Representative **ARATA**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this motion.

As I listened to testimony about LD 820, I found that many people were confused about abortion funding and didn't realize that taxpayer-funded abortion is already legal when medically necessary. The Hyde Amendment states the following, quote, the limitations established in Section 301 shall not apply to abortion, number one, if the pregnancy is the result of an act of rape or incest or, number two, in the case where a woman suffers from a physical disorder, physical injury, or physical illness including a life-endangering physical condition caused by or arising from the pregnancy itself that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

Now, I realize that many people in this room don't understand what the big deal is about abortion. However, we all have people in our lives, such as parents, siblings, and friends, who we love and respect and who sincerely believe that abortion is murder and that paying for an abortion makes them an accessory to murder. We know that these friends and relatives do not oppose abortion out of judgement or any

desire to oppress women. Rather, it is based on love and the knowledge that all life is precious. A vote for this legislation is telling these good people that they must participate in something that goes against their very core values or we will put them in jail. Refusing to pay taxes is a Class C crime in Maine, with a penalty of up to five years in jail. We try to pass laws to keep good people out of jail, not put them in jail. It simply does not make sense to support this extreme legislation.

Now, if this motion fails, the worst thing that can happen is that an inconvenient baby might be born. I was born in 1973, which was a terrible year to be a fetus. There was the Vietnam War, a stock market crash, the oil embargo, a recession, high inflation and *Roe v. Wade*. My father, the Representative from Vassalboro, was a college senior with little money and terrible job prospects. He has never told me this, but I know that I was an inconvenient baby. But in spite of this, I think I've been a blessing to him, even when I vote opposite of him.

Today is my youngest son's 16th birthday. I cried when I found out that I was pregnant with him because having three babies in four years is difficult. But he's turned out to be an incredibly good and kind person and I'm so glad that he was born.

We all have people in our lives who were inconvenient babies who have given more to us than we could've ever imagined. So, please, please vote against this motion. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair would point out that the Representative from Vassalboro had no point of order or objection to those comments.

The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I realize we won't change minds on the legal right of women to determine whether to carry an unexpected and unwanted pregnancy to term. To me, today's debate is about justice. It's about treating women as human beings. We used to not allow females into the classroom. Access to public education today is not discriminatory by gender. Today, we do not cover full reproductive healthcare for women. When women face an unwanted pregnancy and are in crisis, why do we compound the adverse personal and potentially adverse societal consequences by refusing to cover a legal medical right? This is a woman's issue but it is an issue for all of us, men and women, because it's an issue of justice. In our Constitution and in the court cases that have helped define the Constitution, constitutional rights are not granted according to ability to pay. Women of lower income who, in need of exercising this right, deserve reproductive healthcare. Equal access regardless of ability to pay. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion for a lot of reasons, a multitude of reasons.

I am a Catholic man and thus my deeply held religious beliefs is that life begins at conception. And, at that moment, in my mother's womb, science and biology has proven that I existed totally at that moment, maybe not in space, but certainly in composition.

The other component to this that is so upsetting for me, I mean, I believe that abortion is always wrong in every way

because it is ending of an innocent human life, but that isn't the issue of the bill. The issue of the bill is it's going to force people in this state through the confiscation of their wealth to pay for something they are deeply opposed to morally. Imagine if this chamber introduced legislation where we had to pay for the euthanasia of kittens, puppies, cats, dogs, and we were to use taxpayer dollars to do it. Do you think there'd be an outcry for that? I'm certain the halls would be full of people complaining about that legislation. So we are forcing many people, and by the way, all my constituents that have contacted me, I have only had one in opposition. Dozens and dozens and dozens of communications opposed to this. And I ask you to reconsider what we might be thinking to do here and defeat this measure. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this measure.

One step closer. With all respect for the opinions offered here from both sides today, I rise not to discuss my opinions on abortion, although they are very strong and heartfelt. I rise in regards to this particular motion and I will address a few points that I think are appropriate. First of all, we are asking the taxpayers and we are asking businesses and those who support medical plans through those businesses to spend their money on something that they possibly are deeply against; something that we have never done in this state before in regards to funding abortion. Taxpayers will see a tax increase through one means or another, the small businesses will see increases in their medical insurance premiums, even those who in the past have not had to offer this funding in their medical plans will have to do so.

My discussions with those involved in committee and with others who were attending and other means of finding out the information, I could not find a single instance where someone, some woman wanting an abortion had to carry that child to full-term and have the baby due to a lack of funds. Polls show that people are opposed, a majority of those are opposed to funding abortion through their tax dollars. My understanding is that may be a narrow margin in certain parts of the country and in this state, but I can assure you, in my part of Maine, that is a very strong majority. And most of those citizens also oppose abortion. But we're talking about the funding of it by forcing them to help pay for it.

My fear is that this extreme measure is taking us one step closer. In my time here, my short time here in this House, it appears that we are in a great hurry to find ourselves listed among the most liberal states in this country, even though the constituents in my area, my part of the state, are far from that and don't want to go there. We all have heard the recent law signed into statute in New York allowing abortion up to the date that the baby was due to be delivered. My fear is that this measure, this extreme measure we are about to take here today unless you follow my light and vote against it, is taking us one step closer to that and at that time, you will hear from me my views on taking life of an unborn fetus. And I will only make one point to an earlier remark in regards to miscarriage, recently, two weeks ago, I suffered the loss of a much-heralded grandchild to a miscarriage and I assure you that the medical plan which is state-funded through the school department will pay for that miscarriage. I wish that it weren't so.

The Speaker resumed the Chair.
The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Meyer.

Representative **MEYER**: Thank you, Madam Speaker, Women and Men of the House. I rise in support of the pending measure.

The intention of LD 820 is to remove barriers to decision-making about a pregnancy that exists currently in insurance coverage. Abortion has been a safe and protected medical procedure for more than 40 years when the U.S. Supreme Court issued its decision in *Roe v. Wade*. The court ruled that people have a constitutional right to make decisions about when or whether to bring a new life into the world. The deeply personal decisions about a pregnancy are best left to the person and her medical provider, and the government's role is to protect this right and not to restrict or interfere with it.

We cannot achieve quality affordable healthcare for all Mainers while the range of reproductive healthcare services available to a woman continues to be limited by her income and what type of insurance she may have. It is a simple truth; cost is a barrier to care and that cost has lasting impacts on women, especially poor women. Maine's poorest women must pay out of pocket for a service largely covered by private insurance. For a pregnant woman who is already struggling to get by, the cost of an abortion is often far more than she could possibly afford on her own. This hardship is exemplified by the fact that one in four Medicaid-qualified women who seek an abortion is forced to carry her pregnancy to term because of the cost. The entire system creates a vicious cycle of poverty. That's because women's socioeconomic success is intrinsically tied to the reproductive lives. Forcing women to carry an unwanted pregnancy to term quadruples the odds of living below the federal poverty line. Family planning is a key to achieving life goals and unwanted pregnancies can prevent women from obtaining an education, entering or remaining in the workforce and reaching financial self-sufficiency.

I'll conclude with the words of Reverend Marvin Ellison. In the midst of our moral disagreements about abortion, I hope that, at the very least, we might share a commitment to the principle of noncoercion. That in matters of pregnancy, childbirth, and parenting, people should be free to make their own reproductive decisions without force or pressure, including without financial pressure. Before us is the ability to address equal access to reproductive healthcare, providing basic fairness and greater justice for Maine people and their families. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Mason.

Representative **MASON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in very strong opposition against this pending motion.

I received many again of these pink slips asking me to oppose this measure, along with emails, phone calls, and the people I meet in the great town of Lisbon, more nays than yeas on this bill. But, Madam Speaker, also because of my Lord and Savior who lives in my heart, in his Book, it tells me that life begins at conception. And one day I will stand before Him and give an account for what I do in this chamber and everything I do in my personal life. This is my personal belief.

There are other ways to use tax dollars. Use them for adoption agencies, give them some tax dollars. How about promoting abstinence? I have a friend that went to China to

adopt a little boy. How about cutting some red tape in this state so it's easily accessible to adopt a child? How about cutting costs in this state to help the adoption of a child?

I strongly stand against this. This is not healthcare. It's the taking of a life. Let's use our tax dollars to stop the screams of the unborn. Thank you, Madam Speaker.

The SPEAKER: The Chair will remind Members of two things; the first is there is no use of props during debate, so if you might be reading something off a piece of paper, that's fine, but not to use anything else lifted in your hand as a prop. And also just a reminder to please address comments not towards other Members in the chamber, but towards the rostrum.

The Chair reminded all members that no props were allowed during the floor debate.

The Chair further reminded all members to address their comments toward the Speaker.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've been sitting here listening to testimony on both sides and I remind myself the question at hand; are we going to be good stewards of the taxpayers' money? Even though I could stand up here and probably speak for hours on my belief, but I'm not going to go there because the question at hand is; are we going to allow taxpayers' money to pay for this?

I've got probably 900 emails, if not more. Eighty percent of them were outside of CD-2. And out of those 80%, I would say that probably 90% was to allow taxpayer-funded abortion. But the reason why I stand up this afternoon is when I took an oath to represent my district, my hometown of Lincoln and six surrounding towns, I said to myself I'm going to fight to be a good steward of your money, do what is morally and ethically right. And with that said, Madam Speaker, ladies and gentlemen, I would say that 99.99% of the emails that I got in my district, 100% in Lincoln, do not allow my money to perform abortion and I do not want my money to perform abortion outside of whatever is covered in the Hyde Amendment. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker, fellow Members of the House. I rise today in support of this bill.

And today I speak for my sister. My sister is one of the people I am closest to in my life. My sister has a rare birth defect. She was born with only one kidney, half a uterus, one fallopian tube, and a defective ovary on the side of her body with the defects. Growing up, she and the rest of our family had no idea. When she hit puberty, she had periodic abdominal pain, but no one had any answers. In fact, it was usually recommended she just take Prozac. But she got sicker. She lost her job. I helped her get MaineCare. Finally, she had healthcare coverage. Her doctor tried to discover the source of her abdominal pain. An ultrasound picked up some weird results. She was in her early 30s and finally her birth defect was discovered. Her defective ovary was the source of her lifelong standing pain but that wasn't all. According to her doctor, she would not be able to carry a baby to term. Her uterus could burst, leading her to bleed out, killing her and any unborn child. And if you've ever had to sit to anyone with their doctor and hear what that's like, I recommend against it. Then she learned that some activists disagreed with her doctor's opinions, including some medical professionals. This led to my

sister to speak out about this issue. Why should her choices about what to do what was best for her, including the ability to make a decision to save her life depend on her insurance coverage, her employer's values and choice in their covered benefits or our discussions here? And whether someone thinks the risk of her uterus bursting is great enough to qualify as life-threatening. I am glad my sister never had to make that decision. She almost didn't make it after an emergency hysterectomy and subsequent sepsis as I sat by her side. I'm glad she is alive today. She wanted to be here but at the moment she is in the emergency room. She still has complications from these birth defects including intense pain and vomiting that requires medical care, sometimes from specialists in Boston because we often can't treat this problem here. This made my sister an activist, someone who frankly you would never guess, you would never guess that about my sister. She's funny, she's amazing, but she's not like me in wanting to do this kind of stuff at all. And I'm really glad she never had to make that decision.

My sister wants people to know that there are others like her. They don't debate, they don't care about procedural issues in this body, they actually don't care much about the kind of things we talk about here. What they want is they want that decision just to be between them and their doctor. We all pay for things we don't like with our tax dollars. Our country is a pretty contentious place, in case you haven't noticed, and I believe, like my sister believes, that the most difficult and heartbreaking decision that she might have had to make or anyone should be left to a woman and her doctor, not to the government through their Medicaid rules, not to someone's employer or health insurance carrier, not to someone who may have different values who may even be their healthcare provider.

I'm voting in support of this bill and I urge you to do the same. Thank you.

The SPEAKER: The Chair will inform Members there are eight people in the queue. And the Chair will also remind Members to direct comments towards the rostrum only.

The Chair reminded all members to address their comments toward the Speaker.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise today in opposition to the pending motion.

First, I'd like to say perhaps the Representative from New Gloucester inadvertently used me as a prop when she was giving her speech, so I think that's probably okay. And perhaps she was inconvenient but, you know, not half as inconvenient as some of the people around here at times. We in our family have adopted a culture of life. We look at everybody, both the born and the unborn, as being sacred and of infinite value.

What this bill does is expand something that I think is very wrong. My views on abortion were formed many years ago when I saw the image of a baby being aborted. I won't go into it because it's really too graphic. I will say, though, that the baby was fighting for its life right up to the end. I believe that perhaps it should be required viewing of people to look at that video or something like it, that imaging, before we vote anything this important concerning abortion.

I do not think it's wrong. This is an extreme measure. I would never vote for anything to expand abortion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Madam Speaker. Thank you, Members of the House. I rise in opposition to this but I also, to bring it back to what we're talking about, is the funding of this particular issue and I'm assuming, like anything that we turn over to government, we talked about the procedure costing \$500, when we turn it over to government paying for it, within two years it'll be \$1500. I think that probably would be maybe even a lowball. But, as a grandfather of ten children, ten grandchildren, I should say, I do value life quite a considerable amount. The two youngest of my adopted grandchildren, two out of the ten are adopted, are the result of what we would consider in this country rape. And they are the most precious little children you can ever imagine. So I'm straying also from the issue but I'm just telling you to try to get back to the part of the funding of it and I suspect that the more that it is funded through state or federal government, the more it's going to cost. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Madam Speaker, Women and Men of the House. I rise in support of the pending motion.

In *Harris v. McRae*, which upheld the constitutionality of the Hyde Amendment in 1980, I will quote briefly from the dissenting opinion by Justice William Brennan which was joined by Justice Thurgood Marshall and Justice Harry Blackmun and is this opinion that mostly informs my decision to rise in support of this motion.

I write separately to express my continuing disagreement with the court's mischaracterization of the nature of the fundamental right recognized in *Roe v. Wade* and its misconception of the manner in which that right is infringed by federal and state legislation withdrawing all funding for medically necessary abortions. *Roe v. Wade* held that the constitutional right to personal privacy encompasses a woman's decision whether or not to terminate her pregnancy. *Roe* and its progeny established that the pregnant woman has a right to be free from state interference with her choice to have an abortion, a right which at least prior to the end of the first trimester absolutely prohibits any governmental regulation of that highly personal decision. The proposition for which these cases stand thus is not that the state is under an affirmative obligation to ensure access to abortions for all who may desire them, abortion on demand, it is that the state must refrain from wielding its enormous power and influence in a manner that might burden the pregnant woman's freedom to choose whether to have an abortion or not. The Hyde Amendment's denial of public funds for medically necessary abortions plainly intrudes upon this constitutionally protected decision for both by design and in effect it serves to coerce indigent pregnant women to bear children that they would otherwise elect not to have. When viewed in the context of the Medicaid program, to which it is appended, it is obvious that the Hyde Amendment is nothing less than an attempt by Congress to circumvent the dictates of the constitution and achieve indirectly what *Roe v. Wade* said it could not do directly. Under Title 19 of the Social Security Act, the federal government reimburses participating states for virtually all medically necessary services it provides to the categorically needy. The sole limitation of any significance is the Hyde Amendment's prohibition against the use of any federal funds to pay for the costs of abortion, except where the life of the mother would be endangered if the fetus were carried to term. As my Brother Stevens persuasively demonstrates, exclusion of medically necessary abortions from Medicaid coverage

cannot be justified as a cost-saving device. Rather, the Hyde Amendment is a transparent attempt by the legislative branch to impose the political majority's judgement of the morally acceptable and socially desirable preference on a sensitive and intimate decision that the Constitution entrusts to the individual. Worse yet, the Hyde Amendment does not foist that majoritarian viewpoint with equal measure upon everyone in our nation, rich and poor alike, rather it imposes that viewpoint only upon that segment of our society which because of its position of political powerlessness is least able to defend its privacy rights from the encroachments of state-mandated morality. The instant legislation thus calls for more exacting judicial review than in most other cases. When elected leaders cower before public pressure, this court more than ever must not shirk its duty to enforce the Constitution for the benefit of the poor and the powerless, end-quote.

It seems that there are 15 other states in the nation who have tried to correct this error by allowing for medically necessary abortions to be funded by Medicaid in those states and I heard earlier from a Representative who I cannot remember that if we were to pass this law, Maine would be some outlier, some liberal state above and beyond what the Representative perceives it already to be. I will point out that Alaska is one of the states that has allowed for this, and I don't believe that anyone in this chamber would characterize Alaska as a liberal state. And so I ask this body to consider the privacy rights of poor and powerless women and vote for this amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. We all bring our own stories to this body and I was just in the hall answering a phone call and the Good Representative from Bangor came out and said, you know, I remember your floor speech way back when, it must've been in the early '90s. The Good Representative from Eagle Lake remembers the number of abortion bills we had before us. So I was recalling, just a little background, I have three beautiful boys, one born in '77, two, twins, born in '88. But between '77 and '88, my then wife and I had problems conceiving. So, we traveled to Yale-New Haven and had our first in vitro fertilization. At that time, it wasn't legal to freeze fertilized eggs so they were all implanted. My wife had a hard time carrying, so we got a hospital bed and had it in the living room and we'd count the weeks. First, we counted the cells developing, doubling. Then we get to 15 weeks, 16 weeks, 17 weeks, 18 weeks, and having a really hard time carrying those three beautiful boys. Come the 19 weeks and she just couldn't hang on any longer. So we went to the hospital and she delivered three beautiful baby boys. She held them in her hands and watched them die. So that was my testimony of the day. When I got home and told her about it, she said well you forgot one thing; you forgot that in order to die, they had to live. Well, we were so fortunate because 19 weeks, we didn't have to bury those beautiful boys.

So I just want you to think when you cast your vote that, to me, this is about life. It's not about money, it's about life. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Verow.

Representative **VEROW**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I received many thoughtful and sincere opinions from my constituents on this particular bill and most of them were in opposition for two reasons; one of them is that they see this as a mandate and

the other was that they were opposed to taxpayer funding of abortions. I appreciated their comments, as always, and I will take them into consideration when I cast my vote. So, thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Madam Speaker. I rise to pose a question through the Chair but first I just wanted to respond to a couple comments that I heard.

The first comment I wanted to address was that I've heard over and over abortion phrased as a constitutional right but I think it's an important distinction to note that abortion is not a constitutional right, as a matter of fact, the Constitution says nothing of abortion. It may be declared constitutional, but it is not a constitutional right. And I just wanted to reiterate that we've heard a lot of very difficult stories from both sides and I just thought it should be reiterated that abortions in the case of rape, incest, and the safety of the mother are already covered under DHHS Rule 90.05. So, Madam Speaker, may I pose a question about the fiscal note?

The SPEAKER: The Representative may proceed with the question.

Representative **FAULKINGHAM**: And I hope that someone will answer this question. I have a question regarding the fiscal note. What does it mean when the Department of Professional and Financial Regulation to say they do not anticipate any additional cost as a result of this bill but in the same amendment DHHS says it will cost the General Fund \$375,000?

The SPEAKER: The Representative from Winter Harbor has posed a question to anyone in the chamber who is able to answer. Seeing none, the Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I wasn't going to rise today, but I got looking at my desk this morning. We were all given a little card from the Boys and Girls Clubs of the State of Maine and they said it says on that little wristband that great futures start here. And they wanted to thank us for all that we do for youth in our great state. I just thought it would be nice to remind us of that. Thank you.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Curtis.

Representative **CURTIS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise also in opposition of LD 820.

At first glance, the title of this proposal seems fair-minded and rational. Who would object to providing proper healthcare to a woman carrying a precious life inside of her body? Nonetheless, as with so many of our legislative proposals, the devil is in the details. Think with me about how many bills we deliberate on a regular basis to preserve and prolong life. Naloxone to prevent death of overdose, building codes to protect public health, safety, and general welfare, strengthening testing for lead for school in our school's drinking water, amending laws governing the use of child safety restraints, increasing the penalty for passing a school bus to preserve the life of the student riders, the establishment of special funds to be used for pedestrian safety, extending MaineCare coverage to the uninsured to provide lifesaving healthcare, and the list goes on.

Madam Speaker, in your testimony on LD 1312, you spoke of how you cannot stop thinking about the children who had been killed, harmed, or terrorized by gun violence, that you

are haunted by their faces, their names, their parents' breaking voices as they echo stories of how their child was, what they dreamed of, who they loved, and how they died.

The SPEAKER: The Representative will defer. So, the Chair will remind the Representative that we are debating LD 820 and -- the Chair is still continuing -- and reference to a Member's testimony on another bill is not germane to the subject at hand. We've given wide latitude during this debate to talk about many aspects and history and such of the bill at hand, but the Chair will remind the Member to not talk about another bill that is not before the body at the moment.

The Chair reminded Representative CURTIS of Madison to stay as close as possible to the pending question.

The SPEAKER: And the Representative may proceed.

Representative **CURTIS**: You cut me off before I was going to make my statement that I agree with your sentiments. I cannot stop thinking about the children who were never given the opportunity to be given a name or have a face seen or develop their dreams or learn to love. LD 820 takes away choices on several levels. First and foremost, the unborn's ability to make choices is terminated before their first breath is even taken. Taxpayers, including many of us in this chamber today, lose their ability to choose via a decree obligating us to pay for a procedure that we are morally and ethically opposed to. When the cost of health insurance continues to skyrocket, adding additional coverage through MaineCare and requiring private insurers to cover abortion procedures removes the choice from the consumer and the taxpayer and the insurer.

Madam Speaker, when the purpose of our world-leading healthcare system is to sustain life, why are we imposing taxpayer funding to end life? The recent Consensus Economic Forecasting Commission report from April lays out their ongoing concern about the demographic situation in Maine and the resulting impacts of workforce availability. Likewise, there are reports that the U.S. economy does not have enough workers, leaving millions of jobs unfilled. With hundreds of thousands of lives terminated through abortion each year, think of the economic impact. Think of the teachers, the doctors, the firemen, the policemen, the plumbers, the electricians, the small business owners and, yes, even the legislators that are not here with us today since their lives were unduly terminated. With so much grief and hardship linked to cancer, AIDS, hunger, and so many other societal struggles, can we not fathom the possibility that those with the answers may have already been aborted? I cannot in good conscience as a public servant find any redeeming value in passing this initiative. Franklin Graham raises a valid concern on the issue on this very subject when he said it's ironic, Madam Speaker, in New York a murderer, a rapist, a serial killer, a pedophile, a school shooter cannot receive a lethal injection but a child in the womb can.

Madam Speaker, I stand with you in asking, what do you value most. If we believe the lives of our children are of utmost important responsibility, what will we do about it. To those of us who have held our children, our grandchildren and, yes, some of us older folks even held our great-granddaughter or our great-grandson in our arms and marveled at how God has blessed the reproductive rights of the women in our families. I would beg you, Madam Speaker, to join with me and to vote this bill down. Can we not work together to develop a bill that will truly be reproductive? Life is precious and must be protected from conception to the grave and I believe that all of us here today would support such a bill.

Again, Madam Speaker, I'm proud of your statement we will choose life, our children first, every time. Will we choose

the life of our child every time? You were correct in saying isn't every single life worth it. Maybe it's time we change our focus. Maybe it's time we think about a positive difference that we could make here today by debating a bill that would help fund adoption of babies to couples who are unable to conceive on their own. What joy would that bring to not only the couple but to the life-giving mother who will have the satisfaction of knowing her child will be loved and cared for.

You see, Madam Speaker, LD 820 seeks to apply tax dollars toward ending life. This is not a very good return on investment when the same dollars could be applied to saving a life, a life that could be responsible for generations to come, yielding unfathomable civic and private gains. Our own oath as public servants to faithfully discharge to the best of our abilities the duties incumbent upon us according to the constitution and laws of this state set forth that we are not to deprive anyone of life, liberty or property without due process. Madam Speaker, let us know ignore our oath and continue to erode the public's faith in their government. Let us stand together to ensure that those we serve as well as those without a voice are given due process under the law of this great state, for as our 40th president said, we cannot diminish the value of one category of life, the unborn, without diminishing the value of all human life. And, Madam Speaker, I apologize for taking a bill and bringing it to the floor, but I'm asking you to go with me and vote this bill down and let's work together to put together a true reproductive bill. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Madam Speaker, Ladies and Gentlemen. I rise in support of the pending motion.

Much has been said during this debate about the use of taxpayer or ratepayers' funds for the support of a policy that many parts of the population oppose. They view this as a morally objectionable choice. But let's be clear; this bill, this issue, is about the public policy in favor of access to a lawful medical procedure. It is not about tax policy.

In my lifetime, I have lived through several bloody, expensive wars which I believe were ill-conceived and recklessly executed. My tax dollars paid for those wars and I had no choice, morally, objectionably, though I felt they were. That is what it means to be part of a democracy. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Tipping.

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, access to abortion is often sold as a women's issue but when women cannot control their reproductive futures, it's more difficult for them to advance economically. And since women make up more than half the population and close to half the workforce, it matters to all of us when something is holding them back. Because of restrictions in Maine law, women who receive health coverage through MaineCare face two sets of financial obstacles if they have made the decision to end a pregnancy. First, they must cover the direct costs of medical treatment without insurance which is already more money than many Mainers are able to come up with in the case of an emergency and this money must be raised urgently as delays increase costs and risks for women. Second, these women must also bear the practical costs imposed by trips to their medical provider including childcare, because 60% of women seeking abortion are already parents, transportation, women are often driving hours to the nearest provider, whether that's Bangor, Augusta or Portland, and time off from work. Also, women who have decided to have an abortion but can't afford the out of

pocket costs inflicted by lack of insurance coverage face major consequences over the course of their lifetime. Studies show that women in these circumstances are more likely to live in poverty, with poorer health outcomes for the woman, higher-risk pregnancies, increased exposure to substances for both mother and child, and the list goes on.

Denying insurance coverage of abortion, which for many is fundamentally denying access to abortion, isn't just a burden on the woman. The way we address these restrictions reflects the value we place on women as full members of society. If we are a state that values women regardless of income, then it's time to pass this legislation. That's why I'm supporting LD 820.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Blier.

Representative **BLIER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. We're here today discussing a bill that would give medical rights to women that we feel that they do not have. The point is is that if a young woman who is pregnant and doesn't want to be pregnant and she is in a bathroom confused and just, you know, overwhelmed with what's going on in her life and she drops her cellphone into the toilet and ruins that. What would be more of an inconvenience, to live without the cellphone or to live with a child? So, my point is, is this; if abortion is healthcare, then wouldn't cellphones be healthcare as well? I would go crazy without my cellphone so shouldn't we provide cellphones to the public as well? And so I vote that this Ought Not to Pass for the protection of life. Thank you.

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 70

YEA - Ackley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Sylvester, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin J, Martin R, Martin T, Mason, Millett, Morris, Nadeau, O'Connor, Ordway, Perkins, Perry J, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Verow, Wadsworth, White B, White D.

ABSENT - Brooks, Cebra, Grignon, Ingwersen, Stover, Talbot Ross, Theriault.

Yes, 79; No, 63; Absent, 7; Excused, 1.

79 having voted in the affirmative and 63 voted in the negative, with 7 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-210)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-210)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding State Licensure for the Sale of Spirits for Off-premises Consumption"

(H.P. 979) (L.D. 1357)

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ACKLEY of Monmouth
ANDREWS of Paris
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HUBBELL of Bar Harbor
McCREIGHT of Harpswell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-201)** on same Bill.

Signed:

Representatives:

HICKMAN of Winthrop
STROM of Pittsfield

READ.

On motion of Representative SCHNECK of Bangor, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

**CONSENT CALENDAR
First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 348) (L.D. 1128) Bill "An Act To Clarify Statutes Related to Establishing a Municipal Charter Commission" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 209) (L.D. 696) Bill "An Act To Protect Public Employees from Identity Theft" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-77)**

(S.P. 290) (L.D. 1011) Bill "An Act To Clarify Filing Requirements for Proposed Rules" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-73)**

(S.P. 342) (L.D. 1122) Bill "An Act To Expand Tax Increment Financing" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-75)**

(H.P. 1022) (L.D. 1407) Bill "An Act To Revise and Recodify Certain Provisions of the Maine Criminal Code" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 1081) (L.D. 1479) Bill "An Act To Clarify Guardianship over Detainees under 18 Years of Age Regarding Mental Health Care" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 20) (L.D. 19) Bill "An Act To Require Public School Buses To Be Equipped with School Bus Crossing Arms" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-190)**

(H.P. 239) (L.D. 315) Bill "An Act To Promote Healthy Living in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-197)**

(H.P. 285) (L.D. 376) Bill "An Act To Expand Health Insurance Options for Town Academies" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-199)**

(H.P. 323) (L.D. 414) Bill "An Act To Provide Intensive Case Managers to Counties That Do Not Have County Jails or Regional Jails" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-196)**

(H.P. 380) (L.D. 523) Bill "An Act To Permit the Indoor Production of Industrial Hemp" (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-193)**

(H.P. 462) (L.D. 633) Bill "An Act To Create a Permanent Navigator Position within the Department of Health and Human Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-195)**

(H.P. 595) (L.D. 821) Bill "An Act To Set Case Load Standards for the Office of Child and Family Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-209)**

(H.P. 597) (L.D. 823) Bill "An Act To Exempt Vehicles That Are More Than 15 Years Old from Titling Requirements" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-191)**

(H.P. 690) (L.D. 935) Bill "An Act To Increase the Viability of Assisted Living Facilities by Increasing the Rate of Reimbursement" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-198)**

(H.P. 726) (L.D. 971) Bill "An Act To Encourage the Purchase and Sale of Locally Grown and Raised Crops and Products" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-203)**

(H.P. 808) (L.D. 1104) Bill "An Act To Clarify the State's Commitments Concerning Certain Public Service Retirement Benefits" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-205)**

(H.P. 873) (L.D. 1209) Bill "An Act To Require Legislative Hearings on Citizen-initiated Legislation" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-204)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

ENACTORS

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities

(H.P. 1049) (L.D. 1437)

(C. "A" H-163)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative DILLINGHAM of Oxford, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Emergency Measure

An Act To Ensure Proper Prosecution of Crimes Involving Domestic Violence and Enhance Protection of Victims of Domestic Violence

(H.P. 19) (L.D. 18)

(C. "A" H-175)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Increase the Handling Fee for Beverage Containers Reimbursed to Redemption Centers

(S.P. 60) (L.D. 248)

(S. "A" S-56 to C. "A" S-20)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of the same and 4 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Increase the Betting Limit on Games of Chance at Fairs and Festivals and To Expand Allowed Operation

(H.P. 843) (L.D. 1154)

(C. "A" H-162)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and 4 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County

(H.P. 747) (L.D. 1005)
(C. "A" H-160)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Biofuel in Heating Oil

(H.P. 803) (L.D. 1080)
(C. "A" H-148)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 117 voted in favor of the same and 5 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

Acts

An Act To Ensure Access to Justice for Victims of Sexual Assault

(S.P. 20) (L.D. 67)
(C. "A" S-72)

An Act To Protect Jobs in the State by Strengthening the Advance Notice Requirement for the Relocation or Closure of a Large Business

(H.P. 164) (L.D. 201)
(C. "A" H-149)

An Act To Clarify the Requirements for High-hand Competitions in Games of Chance Tournament Games

(S.P. 65) (L.D. 253)
(C. "A" S-64)

An Act To Help New Teachers Succeed

(H.P. 271) (L.D. 345)
(C. "A" H-153)

An Act To Increase the Safety of Maine Residents in Extended Power Outages

(H.P. 281) (L.D. 372)
(C. "A" H-171)

An Act To Fund Maine's School-based Health Centers

(H.P. 301) (L.D. 392)
(C. "A" H-156)

An Act Regarding Actions of the Owner or Keeper of a Dog That Assaults a Person and Causes an Injury That Requires Medical Attention

(S.P. 150) (L.D. 485)
(C. "A" S-65)

An Act To Create a Position within the Department of Health and Human Services To Coordinate Dementia Programs and Services

(H.P. 368) (L.D. 511)
(C. "A" H-159)

An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services

(H.P. 418) (L.D. 574)
(C. "A" H-155)

An Act To Improve Reporting of Operating Under the Influence Offenses

(H.P. 469) (L.D. 648)
(C. "A" H-152)

An Act To Expand Maine's School-based Health Centers

(H.P. 610) (L.D. 836)
(C. "A" H-158)

An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments

(H.P. 627) (L.D. 853)
(C. "A" H-161)

An Act To Exempt from Natural Resources Protection Act Permit Requirements Certain Maintenance and Repairs of Nonhydropower Dams

(H.P. 738) (L.D. 983)
(C. "A" H-174)

An Act To Clarify the Disqualification from Unemployment Benefits of a Person Who Is Terminated from Employment for Being Under the Influence of Marijuana

(S.P. 292) (L.D. 1013)
(S. "B" S-71 to C. "A" S-39)

An Act To Acknowledge Potable Water as a Necessity

(S.P. 341) (L.D. 1121)

An Act To Strengthen Resource Sharing and Access to Library Materials among Maine Libraries

(H.P. 838) (L.D. 1149)
(C. "A" H-173)

An Act To Establish Municipal Access to Utility Poles Located in Municipal Rights-of-way

(S.P. 366) (L.D. 1192)
(C. "A" S-69)

An Act Regarding Utility Poles in Public Rights-of-way

(H.P. 870) (L.D. 1206)
(C. "A" H-169)

An Act To Update and Clarify the Laws Governing Raffles

(S.P. 388) (L.D. 1268)
(C. "A" S-67)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Resolves

Resolve, To Facilitate School Access to Federal Title I Funds and Improve the Delivery of Special Education Services

(H.P. 472) (L.D. 651)
(C. "A" H-154)

Resolve, To Increase Energy Independence for Maine

(H.P. 479) (L.D. 658)
(C. "A" H-170)

Resolve, To End Hunger in Maine by 2030

(H.P. 848) (L.D. 1159)

Resolve, To Direct the ConnectME Authority To Report on the Progress of the Detailed 2019-2021 Strategic Plan for Broadband Service in Maine

(H.P. 909) (L.D. 1248)
(C. "A" H-168)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

An Act To Improve Labor Laws for Maine Workers
(H.P. 562) (L.D. 757)
(C. "A" H-151)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative DILLINGHAM of Oxford, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 71

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Sylvester, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, Grignon, Ingwersen, Stover, Talbot Ross, Theriault.

Yes, 88; No, 54; Absent, 7; Excused, 1.

88 having voted in the affirmative and 54 voted in the negative, with 7 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act Increasing Municipal Agent Fees for Motor Vehicle, All-terrain Vehicle, Snowmobile and Watercraft Registrations

(S.P. 272) (L.D. 917)
(C. "A" S-70)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative MOONEN of Portland, was set aside.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements"
(H.P. 586) (L.D. 798)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-120) in the House on April 23, 2019.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-120) AS AMENDED BY SENATE AMENDMENT "A" (S-66)** thereto in **NON-CONCURRENCE**.

Representative SAMPSON of Alfred moved that the House **RECEDE AND CONCUR**.

Representative MOONEN of Portland **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Fecteau.

Representative **PECTEAU**: Thank you, Madam Speaker. After hearing about my statement regarding our new Mainers, a Muslim leader in Portland reached out to me and asked if I could read the following message. This leader is legitimately afraid of standing up and saying no.

I am concerned about the vaccination bill. Although I am pro-vaccination, I believe the solution is education, not force. As a Muslim-American, I believe religious liberty is important. This could jeopardize that. Minorities and people of color including immigrants are already over-criminalized and this could be another excuse to put more people of color in jail or lead to taking children away from families. Often, the laws are enforced differently when it comes to people of color versus whites. What is Congress doing to make sure this doesn't happen in this case and what are you doing to ensure members of refugee and immigrant communities are educated on these issues? Are you setting funds aside? We are already dealing with language and cultural barriers. Religion is in the mix. How are you going to address that? Will this bill punish someone who does not want to vaccinate their children on religious grounds? I humbly request each and every member of this body to reconsider this bill and vote no.

Madam Speaker, speaking on behalf of myself now, my concern is we posted a welcome home sign at the border. Welcome to Muslim people and knowing they held a different religion and belief structure and in my district they've been fantastic neighbors. I feel that starting something and changing the rules halfway through sounds more like a game of Monopoly with a toddler rather than a sound state policy. I hope we recede and concur.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Madam Speaker. Can I pose a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **RYKERSON**: I would like to ask anybody in the chamber if there's anything even vaguely in this bill about taking children away from their families. Thank you.

The SPEAKER: The Representative from Kittery has posed a question if there is anyone who is able to answer and I believe the Representative from Orono is rising to answer. The Chair recognizes the Representative from Orono.

Representative **TIPPING**: Thank you, Madam Speaker. In answer to the question posed to the chamber, the answer is no. Raising the specter of child removal and arrest is a scare

tactic that I don't think we need at this moment. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Bradley, Representative Lockman.

Representative **LOCKMAN**: In answer to the question, Madam Speaker, if a child were killed by a vaccine they'd be separated from their family and the manufacturer of the vaccine would be immune from prosecution.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, today we consider the merits of a religious exemption to compulsory vaccinations. The idea of a religious exemption as it relates to immunizations sent me back to my academia. As you know, Madam Speaker, in conjunction with a major in Political Science, I studied Theology and Religious Studies at Catholic University in Washington. I firmly believe the notion of a religious exemption as it relates to vaccination is entirely antithetical to religion. The exemption itself suggests vaccinations are in conflict with religion, as if these two things stand at opposite ends of our earth. This could not be further from the truth. As one medical journal author conveyed, quote, we should not consider vaccination opposed to the theological base and values. Following this idea, religion is not in contradiction with vaccination and public health, it is only individual parents or religious leaders in their questionable interpretation of religious practices that are opposed to vaccination, no religion as such, end-quote.

Vaccination serves the public interest, Madam Speaker. They ensure you and me can be in this chamber today to debate issues in good health. And those outside this chamber can live, work, and play without the risk of picking up a completely preventable disease along the way. Whether Judaism, Islam, Buddhism, Christianity and its various denominations, or my own spiritual home of Catholicism, the conclusions on this topic consistently return to the protection of life, preventing harm, and advancing the public interest.

I heard reference in this chamber last week to human cell strains in the ingredients of vaccines. The remarks suggested this as a religious basis for rejecting vaccines. The literature says otherwise. For example, the Pontifical Academy for Life's document titled Moral Reflections on Vaccines is clear on this matter. It states, quote, as regards the vaccines without an alternative, the need to contest so that others may be prepared must be reaffirmed, as should the lawfulness of using the former in the meantime inasmuch as is necessary in order to avoid a serious risk not only for one's own child but also, and perhaps more specifically, for the health conditions of the population as whole, especially for pregnant women, end-quote. In other words, Madam Speaker, one can insist medicine advance alternatives but the behest should not serve as a substitute for the vaccines that already exist to protect one's own children in our society as a whole. Perhaps it is the case that a subset of religions outside of the aforementioned major world religions do wholly and without nuance condemn vaccination. Reverend Henning Jacobson of Cambridge, Massachusetts, provides us with such a case. In 1902, he defied a public health order to get vaccinated for smallpox. He refused, he was fined \$5, I don't believe there's a fine in this legislation before us, he took his case to the U.S. Supreme Court, they argued the case on December 6, 1904, they decided the following on February 20, 1905, quote, the liberty secured by the Constitution of the United States does not import an absolute right in each person to be at all times and in

all circumstances wholly freed from restraint, nor is it an element in such liberty that one person or a minority of persons residing in any community and enjoying the benefit of its local government should have power to dominate the majority when supported in their action by the authority of the state, end-quote.

Madam Speaker, vaccination interests the totality of our society, even those permanently and sternly at odds with them. Vaccines are not antithetical to religion, religion is not inherently in conflict with vaccination. Religions are many centuries old. The first vaccine dates back to 1796. The sacred scriptures cannot possibly contemplate the ethics of vaccination. However, researching the interpretations and applications from theologians and religious scholars on this matter, one surely concludes the prevailing religious ethic is to uphold public health and thus vaccinations as a means to just that. I'll be voting against the motion before us. Thank you, Madam Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 72

YEA - Ackley, Alley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fay, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hickman, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin J, Martin R, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Perry A, Perry J, Pickett, Pluecker, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Stewart, Swallow, Tuell, Verow, Wadsworth, Warren, White D.

NAY - Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Pierce T, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Strom, Sylvester, Tepler, Terry, Tipping, Tucker, White B, Zeigler, Madam Speaker.

ABSENT - Brooks, Cebra, Grignon, Ingwersen, Stearns, Stover, Talbot Ross, Theriault.

Yes, 65; No, 76; Absent, 8; Excused, 1.

65 having voted in the affirmative and 76 voted in the negative, with 8 being absent and 1 excused, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, the House voted to **INSIST**.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment, Thursday, May 2, 2019, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-59)** - Minority (4) **Ought to Pass as Amended by Committee Amendment "B" (S-60)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide for a Professional Wage and Support for New Educators"

(S.P. 264) (L.D. 898)

In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-59)**.

TABLED - April 30, 2019 (Till Later Today) by Representative KORNFIELD of Bangor.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative KORNFIELD of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker, sorry. I rise in opposition to this bill.

\$40,000 a year is going to be a hardship for school districts. This bill pays 100% the first year but only pays 66% of year two and 33% of year three and then it falls onto the school districts and municipalities. School districts will then likely be forced to renegotiate with teacher unions to get increases up the scale. Now, I'm sure this won't make me very popular, but I want you to think about the numbers for a minute. A first-year teacher under this bill would be making \$40,000. They will work 180 days, which is 36 weeks, with more benefits than most people get, starting with at least ten sick days a year. They are required to work seven and a half hours a day. That equals \$29.50 an hour. Now, if somebody else coming out of college starts at \$40,000 a year, they're going to get a two-week vacation, probably, and they're going to be making \$20 an hour.

Now, many of you will say that a good teacher will work more than the seven and a half hours that are required, but I ask you; how many of you actually work nights and weekends and don't get paid for it? I respect teachers, but when did teaching become more about the money and not the calling or the service? Thank you, Madam Speaker, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **BICKFORD**: With the funds going to 66% and 33%, does that make this an unfunded mandate?

The SPEAKER: The Representative from Auburn, Representative Bickford has asked a question through the Chair. If there is there anyone who is able to answer?

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 73

YEA - Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy,

Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Haggan, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Sylvester, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Ackley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Pluecker, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, Grignon, Ingwersen, Stover, Talbot Ross, Theriault.

Yes, 86; No, 56; Absent, 7; Excused, 1.

86 having voted in the affirmative and 56 voted in the negative, with 7 being absent and 1 excused, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-59)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59)** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Resolve, Regarding Legislative Review of Portions of Chapter 692: Siting of Oil Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 205) (L.D. 281)

(C. "A" H-121)

TABLED - May 2, 2019 (Till Later Today) by Representative DILLINGHAM of Oxford.

PENDING - **FINAL PASSAGE**.

Subsequently, this being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

SENATE PAPERS

Bill "An Act To Ban Use of Aerial Herbicide Spraying for the Purpose of Deforestation"

(S.P. 556) (L.D. 1691)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Fund Training for Mill Workers and Loggers"

(S.P. 557) (L.D. 1692)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act Regarding the Water Quality Certification of Graham Lake on the Union River" (EMERGENCY)

(S.P. 552) (L.D. 1687)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Address the Opioid Crisis through Evidence-based Public Health Policy"

(S.P. 554) (L.D. 1689)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act Regarding the Law Governing the Disclosure of Vital Records"

(S.P. 560) (L.D. 1695)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act To Amend the Mental Health Insurance Coverage Laws"

(S.P. 559) (L.D. 1694)

Came from the Senate, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Certify and Promote Products That Are Made in Maine"

(S.P. 555) (L.D. 1690)

Came from the Senate, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in concurrence.

Bill "An Act To Protect Original Birth Certificates"

(S.P. 553) (L.D. 1688)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act To Enhance Enforcement of Employment Laws"

(S.P. 558) (L.D. 1693)

Came from the Senate, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

REFERRED to the Committee on **LABOR AND HOUSING** in concurrence.

The following Joint Resolution: (S.P. 476)
JOINT RESOLUTION RECOGNIZING MAY 11, 2019 AS LETTER CARRIERS' STAMP OUT HUNGER FOOD DRIVE DAY

WHEREAS, hunger affects millions of people nationwide, including children, seniors and military veterans, and thousands of households in Maine struggle to provide food for their families; and

WHEREAS, holiday donations to food banks and pantries often run low as spring nears; and

WHEREAS, when school nutrition programs end in the summer, families with school-age children that use these programs must often find alternate sources of food; and

WHEREAS, in 2018, the Letter Carriers' Stamp Out Hunger Food Drive collected 71.6 million pounds of food, which was distributed locally in the communities in which it was collected, and in Maine letter carriers collected 389,000 pounds of food; and

WHEREAS, the members of the National Association of Letter Carriers and the National Rural Letter Carriers' Association work to end the challenges of hunger in Maine and across the country through the annual Stamp Out Hunger Food Drive; and

WHEREAS, on May 11, 2019, the 2nd Saturday in May, a time of the year when donations are much needed, letter carriers will collect food donations to be distributed to food banks and pantries; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize Saturday, May 11, 2019 as Letter Carriers' Stamp Out Hunger Food Drive Day in Maine and urge all citizens of the State to join in support of this special observance.

Came from the Senate, **READ** and **ADOPTED**.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Gorham, Representative Terry.

Representative **TERRY:** Thank you, Madam Speaker, Men and Women of the House. May 11th is National Stamp Out Hunger Day. It is a day when letter carriers pick up food

donations left at mailboxes all over the country. As we in this House well know, food insecurity is a huge struggle in Maine. Food pantry volunteers from all over the state start to stare at empty shelves once filled from holiday donations every spring. Postal carriers have dedicated themselves for the past 25 years to fill those shelves back up every second Saturday in May. Food insecurity affects families all over Maine. I've seen it in every Maine town that I've lived in. I applaud and say a big thank you to the National Association of Letter Carriers for helping so many people in need. The Stamp Out Hunger Drive is an important reminder to lawmakers and the public about the pervasiveness of food insecurity in our communities.

Please join me in giving our postal carriers a heavier than usual workout this weekend by leaving a bag of much-needed pantry items at your mailbox this Saturday, May 11. And, while you're at it, don't forget to thank your letter carrier for a job well done and for helping fix the serious problem of helping hungry people in Maine. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you. As a former rural letter carrier, I would encourage everyone to take part in the letter carrier's Stamp Out Hunger Food Drive Day and I would agree, it was always quite a workout.

Subsequently, the Joint Resolution was **ADOPTED** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative MELARAGNO of Auburn, the House adjourned at 2:36 p.m., until 10:00 a.m., Wednesday, May 8, 2019, in honor and lasting tribute to Richard Drummond Gleason of Auburn.